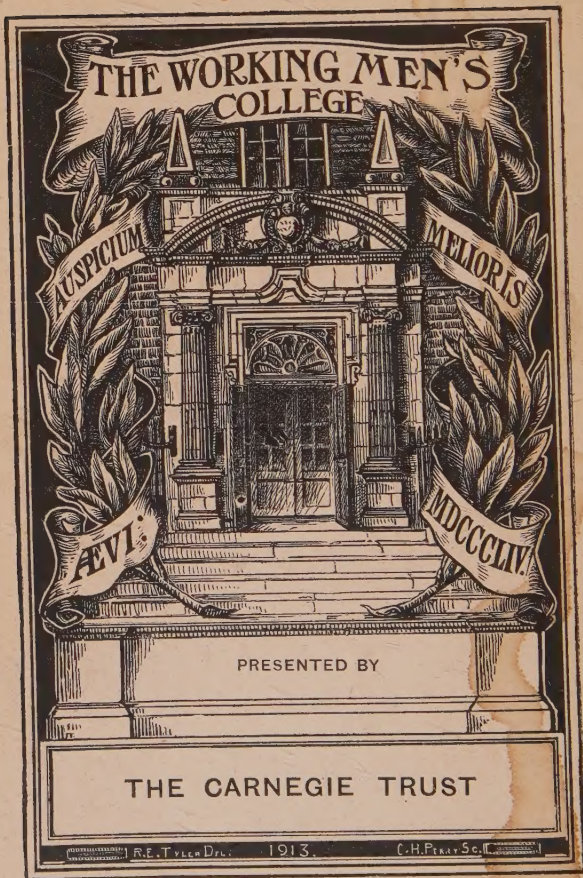




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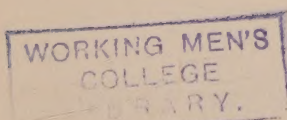
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### DEDICATION.

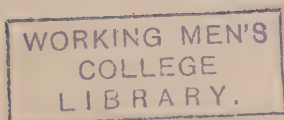
THIS book is dedicated to the staff of the General Federation of Trade Unions. In both the industrial and insurance sections their loyalty, *esprit de corps* and appreciation of business principles, have been splendidly encouraging to a chief whose tasks have been difficult.





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## INTRODUCTION

HISTORY is said to be a continuous record of events, and events are the outward and visible manifestations of human emotions, desires, conditions and opportunities. The history of a movement, like the history of a people, deals with a past. Apart from analysis and deduction, it remains narrative, interesting no doubt, but offering recreation, rather than practical value, to the men and women who must perforce live in the present ; who are concerned with the past only for the sake of its lessons, and with the future only for the sake and for the lives of their children.

The history of trade unionism is interesting ; painfully, entrancingly so ; but, unless our reading leads us from the merely emotional appreciation of the records of misery, oppression, bravery and deliverance, to a study of origins, of purposes, of applicabilities and of possibilities, we ought not to be satisfied.

A logical and reasoned exposition of the subject should discuss origination, liberation, realisation, reaction, recovery, achievements, reorientation, tendencies and prospects. This might be possible for the detached student, but for the man who lives in, and by, the hurly-burly, who each day has to deal with the ever-recurring phases and complexities of a movement having its roots in human desire, this detached study and orderly setting forth is next to impossible. He is impelled to discuss things almost as casually as they arise.

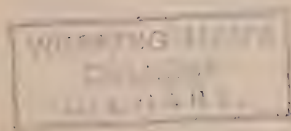
Emotions and events, psychology and history; emotions making history, and history helping to reveal, to those who analyse and deduct, the desires and purposes of those who originated and those who continue that movement which to-day agitates the whole of the industrial world, and in its Samson-like strength and blindness threatens to overwhelm society.

If the history of this movement is studied carefully, and without pre-developed animus, it will be seen that the labourer has some historical justification for his antagonisms.

I have long appreciated the narrative value of trade union history, and have sought to understand

its philosophy, but it is more easy to feel these things than to express them in ordered sequence and in accurate language.

To set forth a little of this history and to attract attention to what I have dared to call the philosophy of trade unionism is the purpose of the following pages. Time, space and the ever-changing character of trade union aims and methods forbid anything in the nature of an exhaustive or conclusive statement, but it is permissible to hope that what is attempted will be sufficient to induce others, particularly where they are officially connected, to study more deeply the movement they have to endure or administer. In the case of the official, self-interest as well as duty demands this deeper and more constant study. If he fails to understand, he must also fail in his efforts to direct.





## CHAPTER I

### THE BEGINNINGS

THE beginnings of trade unionism have an interest, not only because of the various attempts to determine causes and times and places of these beginnings, but also because of the century-long story of miseries, idealisms and heroisms which preceded and accompanied the structural evolution of the movement. That the movement, as originally conceived, is evolutionary rather than revolutionary, that it has slowly grown out of varying and developing circumstances, is generally conceded. That these circumstances have mostly been oppressive, sometimes brutally so, history very clearly demonstrates.

There have been periods in the world's history, and such periods may recur, when trade unions, though for different reasons, could have no place in human affairs. During the individual, or during the family eras, when people lived on what they

personally hunted, produced or made ; when each individual, of necessity, stood for himself, or at most for his family ; when populations were sparse, divided and migratory, neither guilds, as understood by the Romans and Anglo-Saxons, nor unions as understood in the nineteenth century, were necessary or possible. When mastership, as exemplified by the possession and control of facilities, materials and tools, and by the assumption of responsibilities connected with the practice of directing operations and exchanging commodities, was still within the capacity of every man who dared and acted, there was little need for the guild and none for the union.

As population grew and intercourse became a little less murderous ; as desire for security and comfort began to find expression ; and as production for exchange, as well as for personal use, became a recognised factor in human affairs, associations for the assistance and protection of those who produced for exchange became an interesting feature of those forms of society which were seeking social advancement.

These earlier associations existed to protect the trade equally with the individual. As yet, the

latter was assumed to be under no special handicap and to be therefore independent of the need for that kind of personal trade protection which is promised by the trade union. When, however, production for exchange passed from the individual and the family basis to that of the mechanically powered and extensively capitalised factory, a much more dependent class of worker was created, and necessity arose for forms of protection which would restore the balance between those who provided labour and those who provided employment. As the factory grew, the trade protection societies, or guilds, progressively failed to meet the needs of the situation; their status narrowed; their interest became that of the manufacturer and the merchant rather than that of the manual worker, and the latter was driven to form trade associations solely for his own benefit.

Though trade unionism is of comparatively modern institution, sporadic combinations for the betterment of industrial conditions are as old as the hills. Perhaps the most widely known of such ebullitions was the strike of the Hebrews against Pharaoh's attempt to exact the full tally of bricks after instructing his taskmasters to refuse

the continuance of supplies of straw, an essential part of the ancient brickmaker's raw material.

An even more interesting dispute was the one at Sardis, Asia Minor, in the fifth century. Mr. W. H. Buckler, an American economist and archæologist, has discovered, in Sardis, a tablet which records an agreement between the building trade unions and their employers. This tablet bears the date 27th April, 459 A.D., and had evidently been placed where all could read it. The agreement clearly indicates the existence of trade regulations and the principle of collective bargaining. Prices and working conditions were arranged, and those acting for the workmen undertook that any of the latter failing to fulfil their obligations should be punished by fine or imprisonment. The last clause of the agreement is significant: 'And for the full discharge of the fine we pledge, under a lien both general and individual, all our property, present and future, of every kind and sort.'

In our own country the most commonly known of many industrial but ante-trade union outbursts was that of the peasants in Kent and Essex, who in 1381, under the leadership of Wat Tyler and Jack Straw, sought to end the oppressions of villeinage ;

that is, the tenure of land by menial services, the system under which most of the ordinary people laboured and suffered.

With this end in view a hundred thousand men marched on London, killing all the lawyers as they went, and burning all the records of the Manor Courts, hoping by this means to destroy at once the remembrances and evidences of the services they had to render to their various overlords. This effort cost Tyler his life ; he was slain, treacherously so, by the Lord Mayor of London ; but it led ultimately to the discontinuance of the demands of the lords of the manors upon the unpaid, or indirectly paid, labour of the peasants.

The dissolution of the monasteries (1536-39) was followed by extraordinary changes in the ownership of land. The immediate effect upon agriculture—then, if fighting and war be excepted, the main national industry—was disastrous. The country as a whole was apparently growing in prosperity, but the poor were becoming poorer, and the miserable more miserable. In 1549, about 16,000 men, not necessarily engaged in agriculture, but suffering from these changes in agricultural tenure and practice, rose in desperation, and under the leadership

Bu

of Ket, a wealthy tanner of Norwich, demanded the repeal of measures which increased their poverty and involved them and their dependants in misery. This effort was short-lived. The Earl of Warwick led an army against these poor and desperate sufferers and had no difficulty in defeating them. Ket, their leader, was tried and hanged at Norwich. Poor Ket! Had he lived to-day, he might have been found a seat in the Cabinet.

Examples of such efforts, unsupported as they were by continuous association and financial preparation, could easily be multiplied, but those given are sufficient to show that for centuries before the formation of mediæval guilds, as well as during the periods of their usefulness, men and women, whom circumstances compelled to accept employment, had occasionally, though with only doubtful success, combined to resist industrial oppression and to seek industrial advantage.

It seems quite reasonable to look to the psychological effect of these disappointing outbreaks and associations for the original expressions of trade unionism as it is now known, that is, as an organisation to substitute the collective for the individual principle of bargaining in matters affecting wages

and working conditions. The lessons of the constant defeat of revolutionary efforts to improve the economic position of the people; the experiences acquired during the changing industrial conditions of the seventeenth and eighteenth centuries, when, though parties promised and governments changed, the people still remained in misery, must, in the minds of all sensible advisers of the people, have emphasised the need for continuous association; for a programme aiming at economic, rather than political objectives, and for financial preparation against any struggle which might become necessary.

Though we accept the contentions that industrial combination preceded the guilds, and that trade unions are not the lineal descendants of the latter, it would not be correct to argue that these unions and the guilds owed nothing to the older organisations in respect of forms and procedure. The probabilities are that the unions owed as much to the guilds as the latter owed to the theories and ideals and practices of the Roman Colleges and the Anglo-Saxon Frith Guilds. The former organised the members of trades and incorporated them into guilds, while the latter bound together neighbours and others who had interests in common.

These old English Frith Guilds stood by their members in their trade activities and by those of their members who might wrongfully be accused in the courts of law. They contributed also to the support of their sick and needy and towards the burial expenses of those who died.

In this respect the trade unions of the eighteenth and nineteenth centuries very wisely copied the practices and customs of the ancient and mediæval organisations. Experience had demonstrated the nexus, or binding-together, value of these benefits. Trade unions also copied some of the apparently peculiar entrance ceremonies and some of the restrictive provisions of the guilds. Particularly has the latter been the case in respect of apprentices. As the memberships of the guilds increased, without any corresponding expansion of the commercial side of the industry, it is easy to imagine that the journeymen members found greater difficulty in obtaining employment. It is easy also for anyone conversant with the psychology of the class to imagine their murmurings and their representations to the master craftsmen. To those journeymen, as to many of their brethren of later dates, restricting the number of entrants to the craft seemed to be,

if not the only, at least the easiest way of maintaining in employment those already enrolled as journeymen.

Sometimes the restrictions proposed secured the sanction of local authorities ; sometimes of Parliament itself, because Parliament liked people to believe that it very seriously associated itself with the maintenance and development of trade. The Statute of Apprentices, passed in the reign of Queen Elizabeth, affords an outstanding example of this particular kind of legislation, for it provides ' that in the crafts, mysteries and occupations of Cloth-maker, Fuller, Shereman, Weaver, Taylor, or Shoemaker ' any man who had three apprentices should employ one journeyman, and that an additional journeyman should be engaged for every additional apprentice.

In my own trade (lacemaker) the journeymen succeeded in effecting much more drastic limitation. They, at one time, were able to insist that the proportion should be one apprentice to seven journeymen. In their case, as in many others, the restriction, because of its severity, became seriously disadvantageous. It led to manufacturing developments outside the union's radius of influence, and in such cases all restrictions were ignored.

In spite, however, of some very obvious imitations, there have always been clearly defined differences between the guild and the union. The former concerned itself with the general welfare of the industry ; the latter with the welfare of the workers who accepted, or were forced to seek, employment in the industry. The one concerned itself mainly with the promulgation and enforcement of regulations governing manufacture and sale ; the other with wages and conditions of employment. The one ceased to exist when mechanical power and factory production became more generally possible ; the other came into existence when implements, tools and selling passed from the individual worker and became the property and office of particular individuals or groups.

In spite of the general disinclination to accept the trade guild as the direct predecessor of the trade union, it is sometimes difficult to say exactly where the guild ended and the union began. There is indeed evidence to show that journeymen's associations for the improvement of wages existed side by side, though not hand in hand, with the craft guilds ; but the difficulty of intercourse, due to the distances separating groups and individuals,

and the general hostility of employing and governing classes, prevented anything like an official establishment of trade unionism until much later.

The Journeymen Hatters' Fair Trade Union claims Royal permission to associate from 1576, and a continuous record of incorporation and association from the year 1604. Travelling cards were issued by the organisation in 1790, and on the 1st August, 1859, the union was reorganised at Manchester; while on the 1st May, 1887, it amalgamated with the London section of the trade. This union is still in existence, and maintains many of the old conceptions and traditions.

The Cotton Spinners had rules legally approved in 1797; the Friendly Society of Ironfounders, now merged in the National Union of Foundry Workers, was formed in 1809, and had a long and honourable record of Friendly Society, as well as trade union, effort.

The need for these and other unions and the extent of the misery the workers had to fight in 1800 may be gathered from comparisons of the then existing wages and prices, and a cursory glance at the conditions under which men and women and little children worked.

At the turning of the century carpenters and joiners were paid 3s. 2*d.*, bricklayers 3s., masons 2s. 10*d.*, and plumbers 3s. 3*d.* per day ; journeymen tailors 25s., printers' compositors 27s. and agricultural labourers in Suffolk something between 7s. and 9s. per week ; and, in most cases, the day was one of twelve hours and the week of seventy-two hours.

At the same period wheat was 87s. per quarter, as against an average over the years 1900-20 of 37s. Prices of other commodities, as supplied in quantities to Greenwich Hospital, were : butcher's meat £15 4s. 4*d.* per cwt., butter 11½*d.* and cheese 6½*d.* per lb., peas 13s. 5*d.* per bushel, beer 24s. 4*d.* the barrel, candles 10s. 4*d.* the dozen lbs., and coals 51s. 7*d.* the chaldron (36 bushels).

The relationships between wages and prices were tragically against the former. Conditions imperatively demanded a rise in wages, but the individual worker was at this time powerless, and the authorities, acting within the law, prohibited meetings to discuss either wages or the conditions of labour. Everything connected with labour and its remuneration was, at that time, dependent upon the employer's sense of honesty and decency, and, only

in a very much smaller degree, upon the individual workers' skill and courage and freedom from the embarrassing claims of relatives to maintenance and assistance. The man who had none to care for but himself might clear out or enlist, but the one who had wife and children, or other dependants, must remain, and make some pretence of fighting the common misery.

Sad indeed must have been the lot of those who earned so little, and paid so much for food, for artificial light and heat. But the troubles of the workers did not end with wages and prices. Their miseries were greatly accentuated by the defective character of the appliances and the materials with which they had to work ; by the conditions which attached to the payment of wages, and by the extent to which the labour of little children was exploited.

Invention as applied to industrial processes was making constantly changing demands upon the strength, the ingenuity, the endurance and the *morale* of the workers. The new methods, new machinery and mechanical power may have made in many instances smaller demands upon what may be termed the actual lifting capacity of the

workers, but the changing nature of the processes, the departure from manual to mechanical methods, required a quickened adaptability; while the dearth and cost of the new machinery required, if profits were to be high, that it should be worked for the longest possible time at the highest possible speed. This involved, in addition to long hours, physical and mental restraints, and attentions and crowdings together which had been absent in former days, when human hands performed the tasks and human strength supplied the power.

Neither did the harassed worker always receive in actual cash the full value of the wages agreed upon. An iniquitous system of payments in kind obtained. This was called the truck system, and many thousands of employers made a double profit out of the people they employed—a legitimate profit out of the things the workers produced, and an illegitimate profit out of the things these same workers were forced to accept as the equivalents of cash wages. So dreadfully did this system develop that Parliament in 1831 passed what was called the Truck Act. This Act repealed all the previous Acts for regulating the system, and made stricter provision against the payment of wages in kind.

The intentions of Parliament in those days, as at present, were no doubt of the best, but the legislation of 1831 did little to check the abuses, and in 1842 a Select Committee of the House of Commons was appointed 'to inquire into the operation of the law which prohibits the payment of wages otherwise than in the current coin of the realm.' The evidence submitted led this committee to report that the truck system, with all its evil effects and tendencies, was still in existence.

The report of this committee and the efforts of those who were striving for reform failed, even at this time, to eradicate the evil, for the extortion practised under the system continued to a period well within my own recollection. I can perfectly remember my father coming home on successive Saturday evenings with purchases made from workers who had been compelled to accept goods from their employers' shops as part payment of wages. In one case it was a box of herrings from a fishmonger's man ; in another it was a lot of fancy cakes from a journeyman baker who had been forced by his employer on Saturday night to accept an old-fashioned apronful of his employer's unsold wares.

As wages were then not usually paid until closing

time on Saturday night, and the goods portion of these wages had frequently to be disposed of during a tramp from one public-house to another, the effects upon the worker and his family were certain to be of the worst possible kind.

In addition to the worker being compelled to accept, as wages, goods of doubtful value and usefulness, he was frequently mulcted in charges for shop room, for the use of tools and for light. As late as the 31st August, 1868, in a list of prices agreed upon by the Board of Arbitration for the Lace Trade, it is specifically stated that those prices were not subject to charges for gas !

The Lace Makers' Union of those days was a small but powerful organisation of industrial aristocrats who went to work in top hats and earned wages which were the envy of the less fortunate tradesmen. Because of their organisation, they were able to guard themselves against some of the attempts of those who practised truck ; but what of the thousands less fortunately placed ?

So iniquitous were the practices under this system of truck, and so ineffective had been the previous legislation, that Parliament in 1872 passed another restraining Act ; but even this did not eradicate the

evil, and it was not until the passing of the Conspiracy and Protection of Property Act in 1875 and the Trade Union Amendment Act in 1876 that the unions became free to develop and exercise sufficient influence to secure truly efficient legislation against truck. Their efforts were continued until 1887, when Parliament, with Lord Salisbury in power, succeeded in effectively amending the Act of 1831, and in placing upon the shoulders of inspectors of factories and inspectors of mines the duty of enforcing, in their respective spheres, the provisions of this later Act.

To the lack of anything like balance between wages and the prices of essential commodities, and the heartless robberies under the truck system, were added the horrors incidental to the soulless exploitation of child labour. Time softens perceptions as well as animosities, and even those who take the trouble to read of the enslavement and the moral and physical doing-to-death of these little ones, cannot, a hundred years later, realise the measure of infantile suffering imposed. Just a few who are hypersensitive and highly imaginative may conjure up something like accurate pictures of what really happened. To-day, when the cry is

for continuing the education of all young people up to the age of eighteen, it is hard to visualise the industrial brutality which took little children of five years and handed them over to strange task-masters, in strange occupations, and, in strange surroundings, kept them almost continuously at work from morning till night, and from night till morning.

So dreadful was the scandal of infantile exploitation that in 1832 the House of Commons was moved to appoint a Special Committee of the House to take evidence and report. One Abraham Whitehead was examined, and this is a resumé of what he said :

‘ The youngest age at which children are employed is never under five ; some are employed between five and six as pieceners. I live near to parents who have been sending children to mills for a great number of years, and they know positively that these children are every morning of the winter season called out of bed between five and six, in some instances between four and five. I have seen children of tender age employed as late as ten p.m. in the winter season. I have

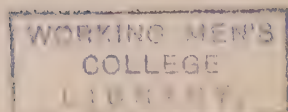
been in mills at all hours, and I never in my life saw the machinery stopped at breakfast time at any of the mills. The children get their breakfast as they can ; they eat and work ; there is generally a pot of water porridge, with a little treacle in it placed at the end of the machine, and when they have exerted themselves to get a little forward with their work they take a few spoonfuls and then to work again, and continue to do so till they have finished their breakfasts. This is the general practice, not only of the children, but of the men in the mills. There is not any allowance for the afternoon refreshment more than for breakfast. In summer some of the mills allow an hour for dinner, and others forty minutes. There is no time allowed in winter, perhaps ten minutes or a quarter of an hour. In some cases they manage at noon as at breakfast. . . . The children are employed as pieceners ; when at work they are always on their feet. They cannot sit and piece. . . . It is a very difficult thing to go into a mill in the later part of the day and not hear some of the children crying for being beaten. Some have been beaten so violently that they have lost their lives in consequence.'

The evidence of Abraham Whitehead could be duplicated *ad infinitum*.

In Kirkheaton Churchyard there is a monument erected to the memory of seventeen children who, in 1818, lost their lives at the burning of Atkinson's Cotton Mill, Colne Bridge. The fire broke out during the night shift, while the children were locked in. The foreman, who had the keys in his possession, failed to open the doors, and seventeen lives were lost. The eldest victim was eighteen and the youngest nine !

One is led to fear, after reading the industrial history of these dreadful times, that much of Great Britain's industrial supremacy was built upon the mortified bodies and atrophied souls of helpless children, and one is tempted to ask whether it was ignorant brutality, or soulless cynicism, which taught little children, at the same period, to sing :

I thank the goodness and the grace,  
Which on my birth hath smiled ;  
And made me, in these Christian days,  
A happy English child.



## CHAPTER II

### PERSECUTION

NOTWITHSTANDING the evidence of Abraham Whitehead, and the fire at Kirkheaton, the physical and moral immolation of men and women and little children continued. Laws passed to prevent combination of workmen, and laws passed for other purposes but strained to the same end, made the task of fighting the oppression and exploitation both difficult and dangerous. In the latter part of the eighteenth and at the beginning of the nineteenth centuries, so bitter was the opposition of employers and judiciary, that it seemed as if most of those connected with industry and law had forgotten that the old and the young of both sexes, who worked in field or factory, were also made in the image of God.

That the situation had long been seriously regarded by the employers is evinced by the petition of master

tailors against combination in 1721, who pleaded that, ' This combination of journeymen tailors is, and may be, tended with many evil consequences, inasmuch as the public is deprived of the benefit of the labour of a considerable number of the subjects of this Kingdom. The families of several of these journeymen are thereby impoverished, and likely to become a charge and burden to the public, and the very persons who are themselves under this unlawful combination, choosing rather to live in idleness than to work at their usual rates and hours, will not only become useless and burdensome, but also very dangerous to the public, and are of very ill example in all other trades. As is seen in the journeymen curriers, smiths, farriers, sailmakers, coachmakers and artificers of various crafts and mysteries, who have actually entered into confederacies of the like nature ; and the journeymen carpenters, bricklayers and joiners, have taken some steps for that purpose and only wait to see the event of others.'

This petition reveals the extent to which workmen's combination had been attempted, and it is interesting to find that the aim of these earlier combinations was to secure the payment of wages

fixed by the justices, rather than rates actually desired by the workmen. Apparently it was the employers who defaulted, and it was their evasions of these laws which led to the practice of judicial assessments of wages falling into disuse. The workmen still attempted combination to compel the justices to enforce rates and the employers to pay them. Indeed, as late as 1753, the Spitalfields weavers obtained an Act which enjoined the justices to fix wages in their trade.

Up to this period the workmen appear to have had considerable faith in the power and design of Parliament to settle wages and to regularise conditions, but the employers were against the restraints imposed, both in respect of wages and apprenticeships. Desiring not only cheap labour, but a sufficiency and a reserve of labour adequate to meet fluctuating demands, they aimed at securing a free hand with wages and at destroying the seven years' apprenticeship. They succeeded, for in 1811 it was held, first, that the fixing of wages under the old statutes was discretionary and not a duty, and secondly, that the Act of Apprentices only applied to industries in existence in 1563. This decision of the courts led to the repealing in 1813

of the wage fixing provisions of the Statute of Apprentices.

The repeal of these conditions removed the State's protection of the workman, though it left untouched the enactments which prevented him combining to protect himself. Lord Jeffrey aptly described the resulting situation when he said : ' A single master was at liberty at any time to turn off the whole of his workmen at once, a hundred or a thousand in number, if they would not accept of the wages he chose to offer ; but it was made an offence for the whole of the workmen to leave the master at once if he refused to give the wages they chose to require.'

The Combination Acts applied to employers' unions as well as to those of workmen, but there appear to be no records of employers being prosecuted or convicted, though they undoubtedly combined to raise prices and to regulate wages. The workmen, on the other hand, suffered abominable prosecution and penalty. In 1798 five printers were prosecuted at the Old Bailey for combination. They were members of one of the trade friendly societies. The prosecution said : ' It was called a friendly society, but, by means of some wicked men

among them, this society degenerated into a most abominable conspiracy.' They had warned those who were not members of the society that unless they conformed to the practices of the journeymen, they would not be employed. A sentence of two years imprisonment was imposed.

In 1810 the journeymen printers in London suffered sentence under the 1800 statute, while in 1824, the great year of repeal of these combination laws, the Scottish weavers were prosecuted for calling a strike to enforce a wage rate actually fixed by the justices! They were convicted, and sentences of from four to eighteen months were imposed. There were many other examples of one-sided and ferocious applications of law, some coming to the higher courts, but most of them escaping notice because they were dealt with summarily and with only limited publicity.

There were occasions when the courts declined to convict, but these occasions form the exception rather than the rule. In 1821 John Smith, Samuel Hucks, Walter Foreman and Daniel Hall, members of the Coopers' Society, found themselves arraigned at the Old Bailey before Newman Knowles, Esq., the Common Sergeant of the City of London, on a

charge of conspiracy. The indictment contained sixteen counts. It declared that the workmen named, 'together with divers other evil-disposed persons, to the number of one hundred and more, whose names are to the Jurors aforesaid unknown, being workmen and journeymen in the art, trade and manual occupation of a Cooper, wrongfully, unlawfully and unjustly contriving and intending, wrongfully and unjustly, to increase and augment the wages of themselves and other workmen and journeymen, in the said art, trade and occupation, and unlawfully and unjustly to exact and extort great sums of money for their labour and hire in the said art, trade and occupation, from the masters who employed them therein.'

The other counts vary little in substance, but the third count states 'that the object of the conspiracy was to demand and exact and obtain for themselves and other workmen and journeymen, in the said art, trade and occupation, from the masters who employed them therein greater wages, hire and reward for their labour and their work than they had before . . . that is to say, one shilling a day more than they had before that time been accustomed to receive.'

Seven counsel were employed, three by the Crown and four by the men. The verbatim report of the trial fills two hundred and fifty pages of fairly close print. Short extracts from the Common Sergeant's summing up, and an incident after the verdict was given, indicate his bias. He said to the jury : ' You have heard of men having a right to demand what they please, and that these men were to be crushed to the earth, and to be ground to powder ; such topics might suit meetings, which were held for these illegal purposes ; no persons have a right to insist on what they as a body shall receive from their employers, and if that principle was to be adopted there would be an end of all commerce. . . . These men have received, all of them, without exception, very good characters, but character weighs less in this case than in any other. . . . It has been said that this is not a conspiracy by the defendants to raise their own wages, but I think, so far as that observation is entitled to any weight, that it operates as an aggravation, and not an extenuation of the offence, because the men who are to derive their support from their wages are more excusable, certainly, in attempting to raise their wages than those who are not to

receive any part of it, but who join in an illegal conspiracy to enable other persons to get greater wages.'

In spite of the Common Sergeant's summing up—perhaps because of it—the jury brought in a verdict of 'not guilty' on all the counts and in respect of all the defendants. The announcement of their verdict brought expressions of approbation from the people in the court and of temper in the judge, who ordered: 'Officers, mark those persons who disturb the court, and take them into custody.'

It was in the atmosphere created by this type of prosecution and the changing methods of production that the Luddites, about 1811, commenced and carried on their destructive operations. These Luddites were bands of workmen who strongly resented the introduction of machinery, and who manifested their resentment by smashing machinery whenever they found, or made, opportunity. The term 'Luddite' may have been applied in derision as well as in aversion, for one of their leaders was Ned Ludd, a half-witted man, whose infirmity found expression in destroying the new manufacturing appliances. These bands of Luddites were

most numerous about 1811-17, and their operations were felt most severely in parts of Lancashire, Yorkshire and Nottinghamshire.

The tendency in these days will be for all to condemn the folly of these workless ones, who destroyed the machinery which had displaced them, but, if their circumstances are properly weighed up, sympathy will temper condemnation.

Many of them had been half land and half industrial workers. They had cultivated small allotments and grazed geese or small stock on the commons, in addition to weaving cloth or hose, and they had been badly hit both by the enclosures of commons and the introduction of machinery. Between 1700 and 1819 Parliament passed Bills authorising the enclosure of what had been open common, and over which the cottager had, what appeared to him at least to be, very valuable rights. During this period 6,669,677 acres were enclosed. The ultimate effect of these enclosures was beneficent; to leave the commons open meant leaving very large areas uncultivated; and this, in view of the growing population, would have been very bad economy. But the immediate effect of the enclosures was to dispossess many poor folk,

and to create a discontent which was easily accentuated by the introduction of machinery and the drastic reductions in the wages of the hand worker.

There had been generations of war; a short peace and then war again. The concomitants of war—industrial dislocation and galloping prices, fortunes for the few and misery for the many—had been constantly in evidence, and then came the tumbling down of wages. What was the use of telling the hand-loom worker that the price of cloth had fallen from 38s. per unit in 1786 to 7s. 2*d.* in 1806, and that it was still falling. The thing that concerned him was not the fall in price of a particular commodity, but the fall in fact of the wages with which he had to buy all commodities essential to the existence of himself and his family. It is said that in Bolton hand-loom weavers who in 1800 received 25s. per week as wages received in 1810 9s. per week, and in 1830 but 5s. 6*d.* per week.

It would not have been difficult, when their bodies were well nourished and supplies of highly vitalised blood were stimulating the brains of the Georgian legislators, for them to formulate very good reasons

for the enclosure of the commons and the introduction of machinery, or to demonstrate the folly of those who opposed the one and destroyed the other ; but it was another matter to make these reasons palatable to the dispossessed labourer or the superseded artisan. The parliamentarians reasoned, and reasoned wisely, that these changes had to be. The dispossessed and the superseded felt, and felt badly, that their hold upon subsistence was going from them, and in their resentment they smashed what they thought was the cause of their trouble.

In those days neither Parliament nor the law were squeamish about the methods adopted to maintain order and to defend property. They had only just repealed the law which decreed that women who were guilty of petite treason should be burnt ; and it was still enjoined that those convicted of this and certain other offences should be hanged, drawn and quartered ; and, though the hanging was by the neck, it was not, as now, until they were dead.<sup>1</sup>

The mentality which could impose and witness the disembowelling of a half-hung but still living

<sup>1</sup> 54 Geo. III, c. 146.

person, was not likely to hesitate over measures to restrain discontented workmen. Some there are still alive who can remember the stories of riots and burnings and cavalry charges and hangings, as told by their grandparents. In my own mind there is still the recollection of one such story, told with quiet though graphic earnestness by my own grandfather, who saw the riots and the burnings, who was chased out of the streets by the cavalry, and who was present at the subsequent trial and hanging of one 'Curly.' The man's real name, if I ever heard it, has passed from my memory, but the story of the handsome fellow whom everybody liked and declared was innocent, but who, nevertheless, was hanged on Gallows Hill, remains with me and helps to make the study of these phases of industrial history more realistic and appealing.

It was in this industrial and psychological atmosphere that the earlier trade unions were formed. They were, of necessity, formed in secret, with many precautions and subterfuges. Usually they hid their trade aims behind friendly society forms and protestations. The nature of these protestations is evinced by the introduction and preamble to the rules of the Friendly Associated Cotton

Spinners, which was established at Oldham in 1796, or twenty-eight years before unions had any legal right to exist. In these rules they first declare :

We'll friendly join  
As Rose and Vine.  
We'll spin our Threads with equal Twine,  
Which showeth plain we good design.

They proceed in the preamble to say : ' We humbly conceive that every unprejudiced mind admires and applauds those actions which flow from a desire to promote the good of others ; and the highest and most exquisite pleasures arise from a consciousness of having acted in conformity to the dictates of kind and good affections. Therefore, to sweeten the disposition, restrain vice, allay discord, promote virtue, establish social and domestic happiness, to relieve the sick and infirm, we have agreed to the following Articles and Regulations, to which we subscribe our names.' Then follows what should be regarded as the Spinners' roll of honour—the names of the officers of the first recorded and duly constituted society of cotton spinners.

The title and the preamble suggest friendly society rather than trade union purposes, and provision is made for the relief of the sick and the unemployed ; but, reading these rules a hundred

and thirty years after they were formulated, it is easy to discern the trade union intention. This intention, and the dangers which attended any attempt to translate it into action, may be inferred from the fact that the chairman and other officers of the Cotton Spinners' Society were elected for one month only and were then succeeded by other members. The disinclination of the majority to accept office, and its attendant risks, is indicated by the rule which charged some of the officers with the duty of appointing their successors when their own term of office had expired. Office in those days brought more kicks than halfpence, and consequently there were few candidates.

Another rule (17), so curious that it is quoted in full, provides: 'That no member of this society shall instruct any person in the art of cotton spinning (except his own children, and paupers who receive relief from overseers of the poor) until such person has paid the sum of one guinea thereto, exclusive of entrance money and weekly subscription.'

Two points of interest arise in this rule 17. The first is the very human desire to confine the art of spinning to the spinners' immediate descendants; the second point is that in respect of those in receipt

of relief. Evidently the workmen in 1796 were prepared to risk the loss, by extension, of some trade privileges, rather than be parties to the payment of unemployment benefit which was unearned or unconvenanted. Their industrial descendants in 1924 are more sentimental, but not more understanding, when they permit and encourage the payment of relief in excess of skilled craftsmen's wages, without the imposition of commensurate tasks.

Rule 23 provides for the penalising of members who disclose the affairs of the society; a very necessary provision when enemies abounded. Rule 28 declares: 'That any member cursing, swearing, or using any bad language tending thereto, or raising disputes about religion or politics, or speaking disrespectfully of the State and the laws of the nation, His Majesty, or either House of Parliament, any officer or magistrate, or anything to disturb the order of the nation, or the society at any meeting, for every offence shall be excluded.'

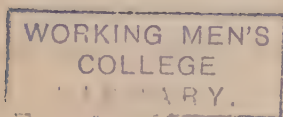
Such rules not only indicate the determination of the earlier trade unionists 'to stick to their last', but afford an insight into the conditions under which their experiments in betterment were made. They had at once to evade existing laws; to allay

the fears of the workmen they sought to organise ; and, while doing both these things, to secure legal approval of their activities. The Cotton Spinners secured this approval on 18th January, 1797, when the following certificate was issued in respect of their rules : ' Allowed and approved the within rules at a General Quarter Sessions of the Peace, held by adjournment at the New Bayley Court House in Salford,' and signed by James Taylor, Deputy Clerk of the Peace.

The Cotton Spinners' rules have been quoted, not because they supply the only, or the earliest, example of attempts to evade the laws against combination, but because the perusal of a copy, reprinted in 1829 and kindly lent by Mr. Birch-enough, the present secretary of the Oldham Operative Cotton Spinners' Provincial Association, indicates not only the danger to those who combined, but the methods of evading hostile laws.

Imprisonment and hangings, even on liberal scales, will not perpetually keep a people in subjection ; particularly if the people concerned possess warlike traditions and experiences. Despite the danger, unions disguised as friendly societies continued to be formed ; circumstances almost demanded

their formation. The country was seething in misery and discontent, and strikes were numerous and serious. In 1824 the House of Commons appointed a committee to inquire into the Combination Laws, and it is said that the members of the Government were led to believe that the objective of this committee was the encouragement of the use of machinery. Whatever the original objective of the committee, the members soon found themselves discussing the wisdom and possibility of repealing all the laws aimed against combination of workmen. The committee quickly expressed themselves unanimously in favour of this repeal; Parliament accepted their recommendations and quietly incorporated them in the Combination of Workmen Act of 1824.



## CHAPTER III

### WHAT THE LAW WAS LIKE

THE laws which, during several centuries, had accumulated against combinations to improve wages or to shorten hours, or to alter conditions of work, were many and varied and fearful.

One of these enactments, described as 'An Act to prevent unlawful combination of workmen, artificers, journeymen and labourers in Ireland; and for other purposes relating thereto,' bearing date of 11th July, 1803, is so illustrative of the general attitude towards workmen that it should be read in full by every serious student. Here its enactments are only epitomised.

*Clause 1* declares that 'All contracts for obtaining an advance of wages, altering the time of working, decreasing the quantity of work, etc. (except between Masters and Men) shall be illegal.'

*Clause 2.* 'Any workman who shall be guilty of any such offence shall be committed to Gaol or the House of Correction, on conviction before two justices.'

*Clause 3.* 'As also any who shall enter into any Combination for advancing wages, etc., or shall endeavour to prevent any Workman from hiring himself, or shall prevail upon him to quit his Employer, or shall hinder any Master from employing any Person, or without reasonable Cause shall refuse to work with any other Workman.'

*Clause 4.* 'And also all Persons who shall attend any Meeting for the Purpose of making any such illegal contract, or who shall summon, or by Intimidation, etc., endeavour to induce any Journeyman to attend such Meeting, or who shall collect any Money for such Purposes,' etc.

*Clause 5* sets forth the penalties 'On Persons contributing for any Expenses incurred for acting contrary to this Act, or towards supporting any Person to induce him not to work, or maintaining Offenders (against these laws) or collecting Money for such Purposes.' This clause also provides that half of any fine imposed shall go to the informer on whose information the conviction is secured.

*Clause 6.* 'Any Workman, who during his Engagement shall refuse to work, or shall absent himself, or shall prevent or molest any Person from working, or shall return his Work before completion, shall be committed to Gaol or the House of Correction on conviction of two Justices.'

*Clause 7.* 'Any Master employing a Man retained by another, without his leave, shall be liable to a penalty of not less than five pounds and not more than twenty pounds.'

*Clause 8.* 'If any Workman shall spoil, destroy, sell or exchange, etc., any Work committed to his Care, he and his accomplices shall severally forfeit Double the Value.'

*Clause 9* places contractors in the same legal position as masters so far as this position relates to the workmen employed by them.

*Clause 10.* 'If any Person shall permit any Meeting in his House for purposes contrary to this Act, he shall be liable for each offence to a fine of not less than five pounds nor more than twenty pounds.'

*Clause 11.* 'Justices may summon offenders, and, on their not appearing, may issue Warrants for apprehending them, and on their appearing, or

on Proof of their absconding, may hear and determine the Matter of Complaint, and if penalties are not forthwith paid, may commit the Parties to Gaol or the House of Correction.'

*Clause 12.* 'No Master in the Trade in which any Offence is charged to have been committed shall act as Justice.'

*Clause 13.* 'Justices may summon witnesses, and for Non-appearance or Refusal to give Evidence may commit them.'

*Clause 14.* 'Informers shall be deemed competent Witnesses ; and offenders may be compelled to give evidence against others, and having given such evidence, shall be indemnified for having offended.'

There are six other clauses and a schedule, but these deal mainly with the machinery of the Act. Sufficient has, however, been set forth to indicate its character.

Another Act also capable of very hostile interpretation was 'An Act for the more effectually preventing seditious Meetings and Assemblies' (31st March, 1817). It starts by declaring that 'Whereas Assemblies of divers Persons, collected for the Purpose or under the Pretext of deliberating

on public grievances,' etc., and continues: 'No Meeting of more than fifty persons (except County Meetings, etc.) to be holden without notice being given in some Newspaper by seven Housekeepers.' Clause 3 enacts that meetings without notice shall be deemed to be unlawful assemblies, and Clause 4 says that it 'shall not be lawful to adjourn any meeting that shall be holden under and by virtue of such previous notice, to any time after the day specified in such notice for holding such meeting, or to any other place than that at which such meeting shall be first holden in pursuance of such previous notice.' Clause 5 deals with the 'Punishment of persons assembled contrary to this Act.' Clause 7 provides, amongst other things, for the punishment of persons not dispersing after proclamation had been made, and clause 10 indemnifies justices and others in case of killing or maiming those who, attending these, fail to get away quickly enough.

The foregoing shows that, in its forty clauses and three schedules, 57 George III, cap. 19, made fairly effective provision against the holding of meetings likely to lead to the formation of trade unions.

Subsequent legislative effort showed that repression by legal enactment had become obnoxious to the public conscience ; that the cries of the workmen and the good sense of many who were in public affairs were combining to create a force which should remove from the statute book those laws which were specifically directed against the workman's right to meet freely and to combine for the better protection of his physical, mental and moral welfare and for the more profitable selling of his labour.

The 21st June, 1824, stands out, for the working men and women of Britain, as the real red-letter day of the century. It witnessed the repeal of obnoxious and repressive laws and a reincarnation of the democratic spirit. To those who had suffered without right to combine for redress, the industrial possibilities of this Act of repeal seemed enormous. Having the liberty which the measure conferred, many imagined that they possessed all things, or could take all things. They did what any student of poor, unstable and elusive human nature would expect them to do. They swung from one extreme to the other, and through sheer exuberance, or because of things less excusable, fell into error, committed excesses and invited reaction.

In criticising the activities of trade unionists who in 1824 were guilty of extravagance and excess, regard must be had to the stupendous character of the liberating measure, and to the imperfect manner in which the workpeople then received information. From Edward I to George IV, from the year 1300 to the year 1824, over five centuries, hundreds and hundreds of pages of the statute book had been filled with vicious laws against association by workmen for even the discussion of wages ; both the annals and the traditions of the times reeked with records of punishments inflicted, not for offences against the person or the State, but to prevent concerted attempts at social betterment. At one stroke these pages were wiped clean ; Parliament doing for the workmen something similar to what the barons did for themselves at Runnymede on the 15th June, 1215, when *they* obtained Magna Charta, 'the corner stone of the British Constitution.'

Looking backwards, and having regard to the fact that but few could read, and that their knowledge of events came mostly by word of mouth, from fellow workers who were unable to separate wheat from chaff or fact from desire ; we cannot

feel surprise that the workmen put their new-found and abounding liberty to the test, and carried it to limits which public opinion could not tolerate.

Only a year intervened, 1824-5, before another Act, entitled 'An Act to repeal the laws relating to the Combination of Workmen, and to make other provisions in lieu thereof,' found its way to the statute book (6th July, 1825).

The preamble of this Act declares that the measure of the previous year had not been found effectual ; 'that such combinations (of workmen) are injurious to trade and commerce, dangerous to the tranquillity of the country, and especially dangerous to all who are concerned in them.' It goes on to declare that 'it is expedient to make further provision, as well for the security and personal freedom of individual workmen in the disposal of their skill and labour, as for the security of the property and persons of their masters and employers, and for that purpose it proposes to repeal the Act of 1824 and to enact, in lieu thereof, other provisions and regulations.'

The effect of these new provisions, was that, while combination and collective bargaining still remained lawful, 'threats, intimidation, molestation

and obstruction' became specific offences. Molestation rather than combination became the point round which controversies raged and legal action developed. It was held to be an offence within the meaning of the 1825 Act for trade unionists to write to an employer threatening a strike, and, in addition, the Acts of 1797 and 1819 against unlawful oaths were invoked against those who combined. It was under these Acts that the labourers of Tolpuddle were sentenced. In 1835, four other workmen were convicted of 'intimidation,' employers declaring that they had raised their prices because these representatives of their other workers had presented and discussed common grievances. No threats were proved. Indeed, in these days it did not seem necessary to prove anything in such cases. All that was needed to secure a conviction was a charge. Punishment was inflicted, not so much for offences committed, as for the purpose of retarding efforts to promote collective bargaining.

The Statute law of Master and Servant was still unrepealed. To leave work unfinished was still an offence punishable by imprisonment or fine. Picketing was considered to be intimidation, even when it was peaceful. In 1847 the tendencies of the

employers and the courts of law to proceed on these hostile assumptions were authoritatively and legally combated by Baron Rolfe, who in the case of *Reg. v. Selsby* confined intimidation under the 1825 Act to threats of personal violence. Speaking of persuasion he said: 'It is doubtless lawful for people to agree amongst themselves not to work upon certain terms; that being so, I am not aware of any illegality in their peacefully trying to persuade other people to adopt the same view.'

Unfortunately for those who were concerned with the formation and administration of trade unions, the 1825 Act left the question of threats, intimidation, molestation or obstruction to the jury, and the jury decided that to say to those whom it appeared desirable to persuade, 'You had better not go there, you will repent it,' was a threat within the law, and punishable. Even after the findings of Baron Rolfe many prosecutions arose out of efforts to induce workers to join in a strike. *Reg. v. Duffield* was a case in which a trade union secretary persuaded workers not to accept certain employment. It was held that he had been guilty of threats to the employer. In this case Justice Erle affirmed the right to strike *so long as no efforts were*

*made to induce others to join.* This judge defined a threat as 'threatening a man either with personal injuries or *with the loss of comfort in any way.*'

Later in the same year (1851) Justice Erle, in *Reg. v. Rowlands*, held that workmen may combine to raise wages where the purpose is to benefit themselves, but that to combine to force an employer to agree to wages is unlawful, where unlawful means—such as intimidation or threats—are used. To persuade workmen not to enter the service of an obnoxious employer was a threat; to say, 'If you work there, we shall strike against you,' was a threat; to follow a worker home or to the factory or place of the obnoxious employer was a threat.

The tendency inequitably to interpret the Act of 1825 led the House of Commons in 1859 to pass the one-clause Molestation of Workmen Act. This re-defined the terms 'molestation and obstruction' as follows: 'No workman or other person, whether actually in employment or not, shall, by reason merely of his entering into an agreement with any workmen or persons for the purpose of fixing remuneration at which they should work or by reason merely of endeavouring peacefully and in a

reasonable manner and without threat or intimidation, direct or indirect, to persuade others to cease or abstain from work in order to obtain the rate of wages or the altered hours of labour so fixed upon, shall be deemed or taken to be guilty of molestation or obstruction within the meaning of the 1825 Act.'

The provision in this Act against workmen breaking contracts, or attempting to induce others to break contracts, was most probably influenced by the terms of the Master and Servants Act, under the terms of which an employer who broke a contract with a workman could be sued for damages, whereas a workman could be imprisoned for three months, though this three months' imprisonment did not wipe out the workman's liability to pay money equivalents for any damage his breach had occasioned the employer. A difference in punishment this, which affords justification for the oft-repeated assertion that law and equity may be entirely different things. These criminal provisions against the workman continued in existence until 1867, when they were repealed by the Government of which Lord Derby was the head.

The Act of 1859 ameliorated, but did not solve, these problems of molestation and intimidation.

Judges differently interpreted the intentions of Parliament. One held it to be a molestation to turn a man out of the union and send his name round the country. A second held that an intimation to an employer of a resolution of men threatening to strike unless a certain man was discharged constituted a criminal threat and molestation ; while another held that to discuss with an employer the settlement of a dispute without handing him a resolution to strike was not an intimidation. Nor even where a resolution to strike had been carried was it intimidation to give it to the employer *at his request*.

The Conspiracy and Protection of Property Act, passed by Mr. Disraeli's Government in 1875, was intended, amongst other things, to clear up the law as it applied to trade disputes. Clause 3 declares that ' an Agreement or combination by two or more persons to do or to procure to be done any act in contemplation or furtherance of a trade dispute . . . shall not be indictable as a conspiracy if such act, committed by one person, would not be punishable as a crime.' This Act clarified the law, but it did not for some years prevent strained interpretations or vexatious actions.

The uncertainties arising from different judicial interpretations and decisions deterred more than the law itself. These uncertainties led the law to be differently applied in different areas, because if the judges differed, the magistrates did likewise and more so. The judges might generally seek correctly to interpret and apply the law, but the magistrates, most of them employers, not infrequently imagined offences, and accentuated punishments, and this continued to be the case even at the beginning of the twentieth century. My own experience as secretary of the Amalgamated Society of Lace Makers affords at least two interesting cases; one in which two men and a boy were sentenced at the Quarter Sessions to three months' imprisonment for an assault alleged to have been committed during a dispute. The bias of the chairman was so obvious that the defending counsel, the late Mr. Etherington Smith, by no means a hasty or hot-tempered man, was constrained to say in reply to one particularly venomous comment: 'My Lord, if that is your attitude I must, in protest, retire from the case.' On appeal against the decision of this court, one sentence was entirely remitted, and the other two were substantially reduced.

The other case was one of molestation by persistently following. The dispute had arisen through an attempt to reduce the wages rate in one of the villages near Nottingham. It involved women and girls as well as men, and it was difficult to prevent them manifesting interest in the imported strike-breakers. These latter had to walk from the station to the factory, a distance—according to police evidence—of eighty yards. The imported workers asked for, and obtained, police protection. The presence in the village of strange police was in itself an incitement to disorder. The resident policeman, known and respected by all, felt no doubt as to his ability to deal with the situation. The coming of the strange police, and the inauguration of a daily procession from station to factory, created almost as much interest as did the first horseless vehicle, and many of the youngsters turned out to see and to cheer more or less derisively. To most people's astonishment, about seventy of them received summonses for intimidation by persistently following.

They were arraigned at the County Hall, where they were placed at the back in rising and semi-circular rows, and in the order in which their names appeared on the summonses. Here these women

and girls, thirteen of them Sunday-school teachers, and most of them church or chapel attendants, were kept for two hours during the hearing of an unpleasant sex case, and while the police who had been imported into the village, with copies of the summonses in their hands, went amongst the defendants to make sure of identification.

It had already been reported that certain magistrates had expressed the intention of making an example of the prisoners, many of them little more than children, so I felt no compunction in approaching others who were less bitterly biased and asking that they should exercise their right to attend the trial, not for the purpose of defeating justice, but in order to prevent justice being disgraced.

The trial was farcical. The local policeman, who knew every one of those charged, could identify four only of the persons charged as being present in the street at the time the offence was said to have been committed. The imported police identified them all; the sergeant in charge admitted that he walked at the head of the non-unionists, some forty or fifty in a narrow street, and that the crowd followed behind. When counsel asked how, with his back to the women, he could yet be sure they

were there, he declared he could identify them by their hoots ! This sergeant was apparently a musical genius wasted upon the police force.

The bench decided to convict the whole ; fines, as near as my memory goes, of three guineas and costs, or a month's imprisonment, were inflicted. Two things connected with this decision stand out clearly in my mind ; one was the consternation of the girls, the other was the refusal of the magistrate's clerk to accept a cheque for the whole amount of fines and costs. It was after four o'clock ; the banks were closed ; and, unless cash could be raised, the girls would have to go to the cells. I do not know which hurt me more, the wail of these girl prisoners, or the supercilious contemptuousness of the clerk's refusal to accept the cheque, for about two hundred pounds, of a trade union which was known to have between thirty and forty thousand pounds in the local branch of Lloyds Bank.

Disraeli is reported to have said that difficulties were made for men to conquer. I took the society's cheque book and went from tradesman to tradesman, exchanging cheques for whatever cash they had unbanked. Not one of them refused to help, and in about two hours it was possible to go back,

very tired, but with the full amount of the aggregate fines. It was a miscellaneous collection of coins that weighted the cash bag, but they were coins current in the realm, and no prejudiced magistrate's clerk could refuse to accept them !

The case is recorded to show how, even at the end of the nineteenth century, the prejudices and power of the employers could pervert the law when employers were also administrators of law. During the affair for which the girls were sentenced no person was injured ; the time during which unpleasant comments could be expressed was countable in seconds ; some of the girls were never near the scene ; but all were fined and subjected to indignities. Here again the fine was not, could not be, imposed as a penalty, because no offence was proved against the majority. It was imposed as a deterrent, and it was this sort of thing which made the task of the class-war protagonist so easy.

WORKING MEN'S  
COLLEGE  
LIBRARY.

## CHAPTER IV

### CONDITIONS PRECEDENT

THERE are various conditions—social, legal and personal—without which trade unions cannot be formed, or, being formed, cannot exist. Circumstances must have separated into industrial camps those who provide labour and those who provide employment. The labourer must feel that his share of the value jointly produced by capital, directive capacity and manual labour is an unfair one; that this share is too small to permit of the provision of subsistence for himself and his dependants. He must recognise his individual helplessness and the improbability of amending this state of things apart from co-operative action amongst workers similarly situated.

The law must recognise the right of free people to sell services, as well as goods, to the best advantage ;

to form organisations and to take collective action when it appears to the seller of services that only by such action can he hope to secure fair consideration. Unless it is clearly understood that men and women are legally free to give, or sell, or withhold their labour, either as individuals or as groups, the formation, expansion and continuance of trade unions will be very difficult, perhaps impossible.

Public opinion must not be too generally hostile, otherwise failure is almost certain. The regulations and bargains of the unions must be honoured. Leaders of sagacity, honesty, single-mindedness and courage must be forthcoming.

The supersession of the feudal system and the changes in productive and manufacturing methods were, even in mediæval times, gradually separating employed from employer. The far-sighted policies of Edward III—anxious to attach to his interest the people as distinct from the barons—an attempt to fix wages by law, and the Black Death, were all factors in the evolution of those circumstances which contributed to the destruction of manorial claims upon personal services. A gradual commutation, through cash payments, of personal services to feudal overlords, and a steady substitution of

currency payments for other methods of liquidating debts, helped to clear the way for feudal emancipation and also for the industrial system which developed later.

Workmen were escaping irksome personal services. Manorial overlords were escaping personal responsibilities. Both parties appeared to be gaining something, though in the nature of things both parties were losing something. Personal obligation on the part of the people to serve the overlord, and dependence upon the overlord, had involved the latter in responsibility. In some cases this responsibility had been recognised and shouldered, in others it had been evaded. As the overlord who commanded gave place to the employer who hired, the breach between those who gave labour and those who gave employment widened. Each day it became harder for many to believe in the existence of any common interest or regard, while each day's tasks and sorrows were forcing the labourers more definitely to conclude that improvement lay with themselves. As yet the trend of circumstances was strongly against the labourer, but a little more suffering and a little more freedom, won perhaps by sacrifice or given by wisdom, and he would be able

to demand in combination what was being denied in isolation.

The records of these times, the transitional period between the late mediæval and the early modern, suggest that the nearest approach to the union idea seems to have been in the guilds of the yeomen and the journeymen. These made their appearance soon after the peasants' rising in 1381, but became much better known in the latter part of the fifteenth and the earlier part of the sixteenth centuries. They were similar in some respect to the craft guilds, from which sometimes they were secedants; they had their meetings and celebrations and charitable functions, but they had no control over manufacturing or selling. In this particular they were followed by the original trade unions, whose rules emphatically suggest that they concerned themselves with wages rather than with business management.

Unless the law permits the formation of trade unions their formation is impracticable. Prior to 1824 the law emphatically did not permit. On the contrary, it was brutally designed and effectively operated to prohibit. The ordinances to control labour and the authorisations to associate which

had been in existence previous to 1824, whether they were administered by the judiciary or exercised by the craft guilds, were only too frequently at one in that hostility to the aims and ambitions of the common workman. In point of fact it required the Acts of 1859, 1871, 1875 and 1876 legally to secure the emancipation intended by the promoters of the Act of 1824.

Though forms of liability to personal service continued after the Black Death in 1349, though it was actually pleaded in court in 1618 that a certain person involved in the litigation was a villein, it must nevertheless be admitted that by the middle of the fifteenth century most of the English people were legally free, apart from combinations to raise wages, to dispose of themselves as they thought fit.

This personal freedom within the law did not mean instant emancipation from the pressure of custom and tradition, nor did it lead immediately to the formation of anything really akin to the modern trade union. The social and economic circumstances conducive to such a development had not yet arisen. These circumstances were to manifest themselves two or three centuries later, when water and steam driven machinery superseded man-power,

and the then conception of mass production led to another phase of human exploitation as effective, though different in character and practice, as the exploitations under serfdom.

Liberty of a kind there was, but this liberty resembled a phase rather than a fact, and obviously men and women who were not really free, whose goings and comings and actions were circumscribed by law and custom, could not hope to form new organisations, or to finance continuously those existing ones, for effecting collective agreements between themselves and those who employed them. Villeinage and serfdom were ended; men and women could, at least in theory, do as they chose with their own lives and labour, but they had to wait until the beginning of the nineteenth century before they could lawfully combine to raise wages.

If unions are to exist, public opinion must not be unfavourable. Even to-day it may be said that, outside the unions, public opinion suffers rather than favours the existence of trade unions. Public opinion is tolerant because it feels, more or less vaguely, that the individual worker needs some protective force not exactly inherent in himself, and because it just as vaguely feels that it has to

put up with trade unionism, or something worse. But, in the days of the journeymen's guilds and from the fifteenth to the end of the eighteenth centuries, effective public opinion was definitely hostile and on the side of those who restricted and penalised. It was modification of this attitude, added to wider conceptions of justice and statesmanship, which made possible the repeal of the Combination Laws and the existence of trade unions.

Faith in the ability, as well as in the willingness, of the workers' organisations to keep their bargains had to be encouraged. Contracts, if the new permissions were to continue and enlarge, had to be invested with an element of the sacrosanct; the workman's word as well as the employer's was to be his bond. This is understandable. The incipient movement had many enemies, and the principle of collective bargaining could be of little avail if that principle was to be ignored and the bargain evaded should it appear to be unsatisfactory. In the nature of things, this attitude towards principle and bargain had to be voluntary. Compulsion there had been in plenty, and compulsion, in addition to being obnoxious from the ethical point of view, reinvoked the interference of the law

and presumed the reimposition of legally enforceable penalties.

Leaders of the right type had to be discovered. Leaders of the Ket or Wat Tyler type had sometimes sought to remove evil by rather aimlessly marching against Governments. They organised hunger marches and fighting marches, but not infrequently, either they abandoned their followers, or their followers abandoned them. These men of bygone centuries took what might be termed political action, and they moved in this fashion because political manipulation of ancient customs seemed to be responsible for most of their troubles. There was justification for their attitude, for in their time many of the evils from which they suffered had an agrarian basis.

By the end of the eighteenth century, however, the position had changed. The absolutely landless men had increased in number and beyond the point at which free land could easily or economically absorb them. It was more clearly seen that someone was needed who could do more than steal land and start labourers digging aimlessly. It was seen that whatever the old source of trouble, the new sources might be looked for elsewhere. Leaders

then arose who, never ceasing to press the Governments in respect of matters within the province of Government, yet realised that the problem of wages was an economic one which demanded economic, rather than political, solution. Their knowledge of industrial economics, from the schoolman's point of view, may have been crude. Sometimes their outlook may have been as narrow as that of their employer, but, in so far as they sought to share, rather than appropriate, the results of initiative, capital and labour, their policy was better than that of those modern leaders, who, in order to eliminate the employer, have gone very far towards destroying the worker.

It was these leaders who, in addition to cheering the idealism of Robert Owen, appreciated the value of the sterner teaching of the Adam Smith school. Their task was difficult. Governments were afraid of them, employers hated them, and workpeople doubted them. They had to convince Governments and law-makers that the trade union was designed to fight oppressive economic exaction, and not really to destroy trade or to overthrow the State. They had to coerce or cajole many of the employers, and also to convince the workers of their honesty

of purpose and of their capacity to build the craft unions they advocated.

The legalised trade unions, that is, those unions which came into existence after the passing of the Act repealing the Combination Laws, had still many obstacles to overcome and many dangers to face. Harsh and unconscionable laws had been repealed, but not all of them. Some still remained which were capable of mal-interpretation, and, what was of even greater importance, the will to interpret wrongly was strong in Parliament, in the Press and amongst those who employed labour. All feared 'that criminal and fearful spirit of combination,' and many were willing to strain powers and laws in attempts to suppress this spirit.

The social evils which had evoked this determination were thus described in a pamphlet by E. G. Wakefield, M.P. (1830) :

'An English agricultural labourer and an English pauper—these words are synonymous. His father was a pauper and his mother's milk contained no nourishment. From his earliest childhood he had had bad food, and only half enough to still his hunger, and even yet he undergoes the pangs of

unsatisfied hunger almost all the time that he is not asleep. . . . His wretched existence is brief ; rheumatism and asthma bring him to the workhouse, where he will draw his last breath without a single pleasant recollection, and will make room for another luckless wretch to live and die as he has done.'

It was the existence of such conditions that prompted, or compelled, the formation of the first agricultural labourers' union at Tolpuddle in Dorsetshire in 1833. In this district the men were receiving seven shillings per week ; they heard that somewhere ten shillings was being paid. They approached the farmers, met them in the presence of the parson and were conceded an agreement for ten shillings. The farmers did not keep their bargain, but reduced wages to eight shillings per week. Later the men were asked to go to the County Hall where they were magisterially told that they must work for what their employers thought fit to give them. This intimidatory advice was followed by a reduction to seven shillings per week, supplemented by the threat that they would shortly have to be content with six !

Then says George Loveless : ' The labouring men

consulted together what had better be done, as they knew it was impossible to live honestly upon such casual means. I had seen, at different times, accounts of Trade Societies ; I told them of this, and they willingly consented to form a Friendly Society among the labourers, having sufficiently learned that it would be vain to seek redress either of employers, magistrates, or parsons. I enquired of a brother how to get information how to proceed, and, shortly after, two delegates from a Trade Society paid us a visit, formed a Friendly Society among the labourers and gave us directions how to proceed.'

These men of Tolpuddle adopted rules and ritual similar in character to the rules and ritual in use amongst the branches of the National Association for the Protection of Labourers which was then making headway in the towns. These rules and practices were quite harmless, but they were affected and partially shaped by traditions descending from guild times and by the ritual of orders like the Freemasons. The members of the National and similar unions performed the rites of initiation before a painted figure of death, and they had tylers, or doorkeepers, both outside and inside the

entrance to their lodges. They had passwords which were changed periodically.

What they did was common to the times. There are trade unionists living who can remember similar practices. Unnecessarily involved, perhaps, from the point of view of that type of modern trade union which simply asks you to 'bob up and bob in,' but in no sense revolutionary or subversive of the common weal. That they had no intention of acting against the King's person or his realm is proved by their rules. Rule 23 of the Tolpuddle union clearly denotes the lawfulness of these labourers' intentions :

'That the object of the society can never be promoted by any act or acts of violence, but, on the contrary, all such proceedings must tend to injure and destroy the society itself. This Order, therefore, will not countenance any violation of the Laws.'

The seriousness with which these men took their trade unionism is shown by another regulation which insisted that no members be 'allowed to eat, read, sleep, swear, bet wagers, or use any absurd language during lodge hours' !

In spite of vows of secrecy, of lawfulness of intention, and of restraints upon foolishness, the fact of

the union's existence became known to its enemies, and the fear of its influence led to the formation of combinations determined to destroy its efforts to combine. These combinations promoted and put into operation schemes of terrible persecution. Only a very little time elapsed between the formation of the union, 21st October, 1833, and the outward and visible expression of the sinister opposition of the employers ; for on 21st February, 1834, just four months after the union's birth, placards were posted in public places warning the labourers that membership of the union was a crime, punishable by seven years' transportation !

Externally the union had not begun to function. Neither demands nor claims had been put forward. No employer had been threatened either in respect of his goods or his person, but, within three days of the placards being posted, George Loveless, James Loveless, Thomas Stansfield, John Stansfield, James Hammel and James Brine, all described as 'evil-disposed persons,' were arrested and thrown into jail.

The arrest of these labourers, together with the treatment meted out to them while awaiting and during the trial, indicates at once the fears and the

bitterness of the employers, who showed that they were determined to strangle trade unionism even though the restraining laws had been repealed. Most men had forgotten the statute invoked against Loveless and his fellow sufferers. They themselves were ignorant of its existence. Yet not only were they cast into jail, but, while incarcerated, they had their anxieties increased by their treatment. It was thought necessary that they should be visited and admonished by the prison chaplain, of whom they said : ' After upbraiding and taunting us with being discontented and idle, and wishing to ruin our masters, he proceeded to tell us we were better off than our masters.'

At the trial every effort was made to besmirch the personal character of the prisoners, but even their employers were impelled to say that the men were good labouring servants against whom they had heard no complaints. But neither the misery of their industrial conditions nor the testimony of their employers saved the men from being convicted and the judiciary from being discredited.

After the trial, as the six prisoners were being taken away, James Loveless, who had written

some verses on a piece of paper, threw this into the crowd. One of the verses ran :

God is our guide ! no swords we draw,  
We kindle not war's battle fires ;  
By reason, union, justice, law,  
We claim the birthright of our sires.  
We raise the watchword liberty,  
We will, we will, we will be free !

This was in February, 1834. The laws against combination had been repealed in 1824. Clearly it was not illegal at the later date to form an association having for its object the raising of wages ; so an old statute, which had escaped repeal and which was really designed to be used against seditious societies, was resuscitated, proceedings were instituted, and after a trial, scandalously wicked and ludicrously farcical, these six labourers were sentenced to seven years' transportation. Just the period threatened by their enemies on February 21st.

Referring to this mockery of a trial, Sir Spencer Walpole said : ' The statute had been rarely enforced ; practically it had been disregarded by every trade union in the Kingdom. It was suddenly resuscitated to

punish the men who formed the first agricultural workers' union.'

*The Times* (21st March, 1834), while admitting that the sentence was 'too severe,' declared: 'But it may be useful if it spreads alarm amongst those more acute and powerful disturbers of the town populations throughout England.' Later (1st April, 1834) *The Times* said: 'All Freemasons and Orangemen . . . might with equal justice be sentenced to transportation for the fact of having taken secret and unlawful oaths as these poor fellows. . . . In the case of the Dorchester labourers, the formal charge against them was that of administering and being bound by secret, and therefore unlawful, oaths; whereas the real gravamen of their guilt was their forming a union to force up, by various modes of intimidation and restraint, the rate of wages.'

This perhaps affords the true explanation of the arrest, the trial and the sentence. The law had been strained, the sentence was too severe, but if the other distressed workers who were turning their thoughts towards securing better wages and conditions had their thoughts checked and their activities crushed, the sentence was justifiable!

The real object, therefore, of the prosecution was not to defend the realm against sedition, but to alarm those other workers who laboured in the towns of England, and possibly to deter them from forming or continuing similar associations.

Fortunately for the prisoners and for the reputation of Great Britain, the matter was not allowed to rest with the conviction and transportation. Before, during and after the trial, feverish efforts were made on behalf of those whom fear and injustice had made into convicts. Edward Bulwer (Lord Lytton), Mr. David Hume and others protested in Parliament, and such was the public indignation that within seven days William Cobbett presented at the Bar of the House of Commons a petition signed by twelve thousand persons.

Meanwhile, trade unions existing in other places (for one of the aggravating circumstances of this trial was that trade unions in other centres were exercising their legal right to exist) were preparing assistance. They concentrated upon the organisation of a great procession to present a petition against the debasement of the law and the savagery of the sentence. The people were aroused. The

extent of their anger can be estimated by the number of signatures to the petition. Two hundred and fifty thousand signed ; roughly, if differences in population are considered, the present day equivalent of a million ; and this despite the danger of reprisals incurred by those who affixed their signatures.

The Government became alarmed ; rushed troops to London and swore in special constables. Neither were required ; the trade unionists and their sympathisers were quite orderly. After Lord Melbourne, the Prime Minister, had refused to receive either the petition or a deputation, they marched through London and held a demonstration in Copenhagen Fields. It was estimated that from one to two hundred thousand people took part in this demonstration.

The Government still refused to intervene, and the men were hurriedly and callously shipped to Botany Bay. Fortunately for them, other trade unions, nobly assisted by influential sympathisers, continued their efforts on behalf of the victims of industrial animosity and legal mal-practice. The London Dorchester Committee, composed of workmen, intensified the struggle on behalf of the

labourers ; they collected a defence fund of £1,300, and eventually, after two years of devoted and anxious effort, they succeeded in compelling the same Government that had banished the men to pardon them ! To-day the world knows that the Government should have apologised to them and offered them compensation.

From the funds collected during the agitation for repeal the committee were enabled to settle five of the returned men in Essex. The sixth returned to Tolpuddle. George Loveless, the leader who in dangerous times had the courage to lead, afterwards emigrated to Canada, where, as late as 1873, it was reported that he had prospered.

Much has been made of this story of Tolpuddle ; much more ought to be made of it in trade union branches. Its heroes were representative of a class which was, and is, exploited by every other section of the community. Because of the scattered nature of the occupation and its susceptibility to overseas competition, organisation of the men and resistance by them of adverse conditions had been very difficult. There have been periods during which public feeling has been aroused on

behalf of this class, but, behind any outside sympathy expressed or assistance promised, there generally has been the desire to obtain more from the agricultural workers than is given to them in the shape of real wages or real betterment. The advances which have come to them in recent years have been rendered almost valueless by the higher costs of everything they needs must purchase. What is equally disconcerting to them is that every time they secure an advance in money wages to meet the prices imposed upon them by the ill-considered selfishnesses of others in the service, or sheltered trades, they simultaneously invite increase in the use of machinery and the supersession of their older men. Poverty, isolation and starved brains contribute much to their unhappy state, but the greatest factor against them is the selfishness of other sections of the community. The man who works with a roof over his head, and the employer who, in addition to enjoying reasonably stabilised trade prices, is himself engaged in one of the sheltered occupations and may have the further advantage of turning over his capital two, three, or four times in the year, has what the Americans call 'the pull' over the agriculturalist. In the

Army it is said that whatever goes wrong with the staff finds its ultimate expression in the rank and file. In the world of commerce and industry whatever goes wrong seems to resolve itself into trouble for the agriculturalist.

WORKING MEN'S  
COLLEGE  
LIBRARY.

## CHAPTER V

### THE GROWTH OF TRADE UNIONS : 1824-1924

THE trade union movement owes much to the friendly societies. Without the opportunities these societies afforded for disguising trade union attempts at organisation and for developing public opinion, a longer period might have elapsed before effective organisation became possible. These friendly societies by their existence and their activities may conceivably have influenced and expedited the repeal of the Combination Laws. Even after the repeal of these laws it would still have been very difficult, but for the habit of association acquired in friendly society work, to persuade workmen to form associations purely for the consideration of wages. Adding the consideration of wage questions to the existing aims of the societies did not present

so many obstacles to the minds of the illiterate and fearful labourers as entirely new organisations might have done. The friendly societies in existence were formed and supported by workmen ; they had given workmen some constructive experience ; they knew some things about balancing incomes and expenditures and had possessed leaders with practical knowledge of the workman's problems and whom the workmen themselves understood.

The liberties conceded by the 1824 Act were consequently taken hold of by people who already possessed, in addition to a great desire for industrial betterment, some machinery, some knowledge of society management, and some leaders drawn from their own class.

The step from the secret to the open effort to improve wages was not so violent or so difficult as it might otherwise have been. Hundreds of societies therefore sprang up in different parts of the country. Some of these had only a passing existence. The circumstances against them were too strong, or their only objective was an immediate amelioration of some particular evil. Often they were just formed to resist some immediate personal oppression, or to remedy some immediate local grievance. The

particular task being accomplished, the union languished, and not infrequently died out altogether. Others came to stay and formulated definite rules and policies.

At the moment there is in my possession a copy of the rules of the Macclesfield Silk Weavers' Union, which were adopted in 1826. These same weavers met in the Town Hall, Macclesfield, on the 21st March, 1849, and formed what they called a Board of Trade, which was, in fact, a Board of Arbitration. It consisted of twelve employers and twelve workmen, all democratically elected, and an independent chairman. In the event of the two parties casting an equal number of votes, the decision lay with the chairman, and it was to be final and binding. After reading these rules, it is hard to escape the conclusion that these Macclesfield weavers actually anticipated both the Whitley Councils and the Manitoba scheme for dealing with industrial disputes.

Everything connected with the relationships existing or arising between employers and workers in the trade was subject to the jurisdiction of this Silk Weavers' Board. Rule 11, being illustrative of the whole, is worth quoting in full. It says that 'the appointment of this Board is protective and

not prohibitive and therefore, not being desirous of checking improvements in machinery or in the mode of conducting the business of weaving, every manufacturer shall be permitted to adopt such improvements as he thinks fit, and to vary, in such cases, the List of Prices, provided it shall appear to the Board to warrant such variation.'

The co-operative spirit, indicated by these and similar sets of rules, may have been only a diplomatic expression of policy, due to the restrictive attitude of the law and the legal profession, and to the dangerous hostility of the employers. But the evidence of the times rather suggests that the spirit was also influenced by an appreciation of the ultimate commonalty of interest, both of employer and worker, in the success of the business both were engaged in. These rules and preambles indicate the existence of a fairly general idea that the failure of the business spelt disaster, alike to the employer and the employed, for in many of these sets of rules there runs, like a *motif* in music, the desire expressed in the aphorism adopted by the Friendly Society of Operative Lace Makers in 1850: 'Give to capital its just rights and to labour its due reward.' To improve the existing conditions rather than to

introduce hypothetical millenniums seems always to have been the objective of these earlier unions.

The conditions obtaining at the end of the eighteenth and the beginning of the nineteenth centuries demanded, and, despite the danger, had witnessed, the formation of many trade unions. They were then outside the law, but, in the face of social and legal disabilities of the gravest character, masons, cordwainers, weavers, ironfounders and others formed organisations, some of which were crushed by the opposition, while others survived. Spinners in Bolton, weavers in Paisley, Leeds, Huddersfield and Bradford, and labourers in Dorset and other counties, incited by hardship, by oppression and by brutal disregard of life's duties and amenities, passionately desiring more equitable conditions, banded themselves together in trade groups, to finance and continuously sustain the struggle for betterment and liberty.

Generally speaking, and at first, these earlier unions confined themselves to the members of one trade who were working in one locality. Soon, however, developments began. The local unions proved themselves unable to deal with the situation in the whole trade, and national unions of men

working in the same craft began to be formed. The Manchester Cotton Spinners began organising a national body in 1829, and a National Potters' Union was in existence in 1831. Flint Glass Makers, Compositors, and other national unions were formed in 1842, and in 1844 the Miners numbered 70,000 members who were reputedly in full financial benefit.

In addition to the craft unions there were attempts to form general workers' unions. Robert Owen and his followers were mainly responsible for this particular departure. Their ideas and propaganda converted many, temporarily at least, to the plan of the large union comprising within its ranks workers of every occupation. The one big union is by no means the conception of the twentieth century. In 1830 a National Association for the Protection of Labourers was formed ; in 1834 a Grand National Consolidated Trade Union, and in 1845 a National Association of United Trades for the Protection of Labour. All these quickly passed away. A few years full of promises, a few years of enjoyable popularity, then inability to fulfil the promises made, followed by the disillusionment of the members and the exit of the society. The causes contributing

to their undoing were similar to those which destroyed the American Knights of Labour in the latter part of the nineteenth century. They were too grandiloquent and diffusive for the workman who, wanting bread and butter rather than problematical paradises, desired above all other things personal attention to the problems which affected his wages and the wellbeing of the industry in which he was engaged. If these great organisations could not provide this personal attention to his daily wants, the workman had, and probably has to-day, no great interest in their survival.

Trades Councils were almost a natural consequence of trade unions, and these followed a little later. They consisted of delegates appointed by the different trade unions in a given area. The earlier ones appear to have been very much like some of the earlier trade unions: they were temporary bodies called into being to meet special circumstances; to concert organising efforts, to collect or to authorise the collection of funds for strikes, or where workmen had been locked out; or to prepare petitions to present to local authorities, or to Parliament. When their special task had been accomplished they usually fell

to pieces. In the year 1848 Liverpool formed a permanent local council, representative of the various unions in the district. The immediate object of this council was to protect trade unions who were prosecuted for illegal conspiracy. Sheffield formed its Trades Council in 1857, and then followed in rapid succession Glasgow, London, Bristol, and other large industrial centres.

A shrewd observer has declared that 'the influence of these Councils has been varied and limited.' My own experience suggests that they did sometimes, and while they were mainly concerned with trade unionism, both by money and sympathy, sustain workmen on strike or locked out, and very often to the extent of enabling these workmen to secure better terms or to avoid utter humiliation. The Trades Councils were also, on occasion, useful to those unions whose officials recognised defeat before the members were prepared to surrender. If the Councils recognised that the struggle, besides being likely to end unfavourably, was being continued at the instigation of a minority, and against the sense of the majority, they could give advice without incurring risks. They could give that

advice the officials sometimes desired, but which the workmen, with their smaller knowledge of the situation and because of the passions engendered by the dispute, were inclined to resent if it came from their own officials; though strangely enough they might accept it if the advice came from a body representing outside and authoritative trade union opinion.

After the Trades Councils came the Trades Union Congress, a national body claiming to be representative of the whole of the trade unions in the United Kingdom. It was first called together in 1868 and met in Manchester under the chairmanship of Mr. W. H. Wood of the Manchester Trades Council. The Congress has met every succeeding year, with the exception of the years 1870 and 1914. In each of these years war interfered with trade union programmes as well as with other things. In 1870 Germany was at war with France, and in 1914 Germany was at war with the whole world, more or less.

Prior to 1900, the president of the Congress was chosen from the members of the Trades Council existing in the town in which the Congress met. This practice had its advantages and its

disadvantages. Amongst the advantages was that increase of democratic spirit and interest which resulted from the sharing, by the national body, of responsibility and opportunity with local trade unionists.

Outsiders can have little idea of the tremendous impetus the holding of the Congress then gave to local movements. There was first the discussion in the unions over the invitation to be sent, and after this had been accepted there was a period of feverish preparation. There were deputations from the Trades Council to the affiliated unions soliciting personal assistance and subscriptions for the entertainment of the visitors, refreshment as well as labour being features of these annual gatherings. Local magnates, whose sympathy with unionism was infinitesimal, but whose amenability to political pressure was understood, contributed to entertainments which were sometimes sumptuous in character; that at London in 1902 being particularly entitled to this remark. A curious feature of these entertainments was the vigorous protest made against accepting them, and the equally vigorous enjoyment of them by the protestors. It was at these entertainments that

the younger trade unionists received lessons in hypocrisy.

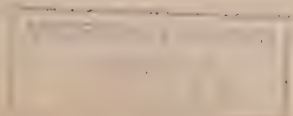
The local men knew little of the true inwardness of these protests annually made by the left wing of Congress, and usually threw themselves wholeheartedly into the preparatory work. The presidency of the Congress itself gave the local man his chance of impressing, favourably or otherwise, the rest of the trade union world, and that part of the world of politics which, even in those days, cultivated the trade union movement. There was the excitement incidental to anticipations of contact with the nationally known men, and the hope that their coming would intensify the trade union spirit of the district.

Amongst the disadvantages of this system were those which arose from placing the arrangements for the Congress in the hands of less experienced men, and the danger, sometimes realised, that the local official would be inadequate to the enunciation of national programmes.

At its inception the Congress elected a Parliamentary Committee and appointed as the first president of Congress Mr. W. H. Wood, who also acted as the first secretary of this national

committee ; Manchester thus taking a triple first in connection with the trade union movement, namely, first national Congress, first national president, and first national secretary.

Mr. Wood held the position of secretary for one year only. He was succeeded in 1869 by George Potter, who in turn was succeeded in 1871 by a man whose name is even better remembered—George Odger. He in turn gave way in 1872 to George Howell, who continued in the office until Henry Broadhurst was appointed at the Glasgow Congress in 1876. Henry Broadhurst was temporarily displaced in 1885 by George Shipton, but came back the following year and held office until the position was taken over at Liverpool in 1890 by Charles Fenwick. Samuel Woods followed Fenwick and held office until ill-health incapacitated him. W. C. Steadman took up the task in 1905 and remained until his death in 1910. Steadman's election marked a determined and successful attempt on the part of the smaller unions to get away from what was called the domination of coal and cotton. It is possible that Congress has enjoyed the services of secretaries possessing greater intellectual ability than Steadman, but it never possessed a more



enthusiastic or whole-hearted servant. After Steadman's death in 1911 C. W. Bowerman was appointed. Happily, he still lives, and though now out of office, he continues his interest in the old trade union movement. He is frequently to be found extending sympathy and rendering voluntary service to old trade unionists upon whom the hands of time have been laid heavily.

The numbers represented by Congress in 1868 were 118,367; in 1890, 1,470,191; in 1920, 6,417,910. In 1871, four years after its inauguration, the total income of the Congress for the year was £39 14s. 8d. In 1890 it had risen to £1,166 8s. 9d.; while in 1920 it received £18,720 7s. 6d. Since 1920 the membership has declined in 1923 to 4,369,268, but the income from all sources and for all purposes has risen to £142,791 16s. 3½d.

Commenting on the fall of the membership in 1922, *Whitaker's Almanack* ascribes this to unemployment and to dissatisfaction with trade union management. It declares also that the Congress in 1922 was conspicuous for its return to wrangling of a personal nature in public and to the absence of discussion on important subjects.

The comments of *Whitaker* are unpleasant. That

there was some justification is admitted even by those who support Congress. The *Morning Post* exposure of extravagant expenditures accelerated the dissatisfaction described in the *Almanack*. Clearly it could not be encouraging to the actual, or the prospective, trade unionist to read that a union representing the poorest-paid workers in the country had spent £42,856 on management expenses; £3,875 on the political fund, and only £3,382 on benefits; or that another union was able to contribute £18,674 to the political fund while it was unable to meet in full all its liabilities to all its own members; that still another union spent £60,895 on management and £8,497 on the political fund, out of a total income of £93,404.

Some of the unions joined *Whitaker* and the *Morning Post* in the denunciation of bad management and extravagance. Particularly was this the case where unions were competing for members. The Scottish Transport Workers published a very unflattering summary of their English competitors' accounts. It was alleged that these showed a total income for 1922 of £367,850 4s. 2d., and on the expenditure side, £189,586 os. 7d. salaries to officials, and on other expenses of management

£86,998 11s. 10d.; this giving for management £270,584 12s. 5d., or 75 $\frac{3}{4}$  per cent. of the total income. There were some other expenditures absorbing another 23 $\frac{3}{4}$  per cent., and a surplus to carry to reserve of 2 $\frac{1}{2}$  per cent. Whether these statements are true or untrue they disconcert the members and damage the union.

The Parliamentary Committee of the Trades Union Congress has steadily grown in size. In 1906 it numbered fifteen members. In 1922 it had increased to thirty-four and changed its title from the Parliamentary Committee to the General Council. It is often said that there is safety in numbers, but there are some who hold that too many cooks spoil the broth. The enlargement of the Committee has been due, not so much to faith in the administrative efficacy of numbers, as to a desire to neutralise jealousies by spreading the honours and emoluments over larger numbers. As the personnel of the committee has increased, so, of necessity, has its cost. In 1906 its total expenditure was £4,822 3s. 4d. In 1922 the expenditure had grown to £41,183 3s. 0 $\frac{1}{2}$ d.

The Congress pays neither strike nor lock-out benefit, but spends its income on management and

propaganda. A large portion of its present income is expended on international associations and deputations and grants to the *Daily Herald*. It did, however, in 1924 contribute £10,000 to the extraordinary and not very successful builders' strike. On various occasions it has sought power to levy the unions for dispute purposes, but these powers have hitherto been refused by delegates, who appeared to appreciate the hopeless inefficiency of this levy method; a method which flagrantly violates one of the basic principles of trade unionism, because it avoids making continuous financial preparation for disputes, and only attempts to operate and to raise funds when troubles exist. Hitherto the majority of the delegates attending Congress have agreed that at such times the unions, through their men being directly or indirectly involved, are less able to contribute towards common funds than they would be when times were normal.

The Congress commenced its career as an organisation with political objectives, but in the earlier days it was not committed solely to one political party. Indeed some of its secretaries, notably Henry Broadhurst, Charles Fenwick and W. C. Steadman, owed much to Liberal association and support.

One of its original objects was to bring to the notice of any government which might be in power the Congress point of view in respect of legislation, whether this was accomplished or projected. For many years, deputations representative of Congress have annually waited upon Ministers of the Crown, for the purpose of emphasising what was held to be the trade union point of view on matters affecting industrial conditions.

Since 1899 the Congress has surrendered much of its old flexibility and the major portion of its political power to the Labour Party ; though it still jealously reiterates its right ' to watch all legislation affecting labour ' and ' to initiate such legislation as Congress may direct.'

During recent times what was the Parliamentary Committee has become the General Council of the Congress, and this Council has plunged into international associations. The advantages which British trade unionism has gained from these overseas excursions and entanglements are not very obvious. If they have effected any improvement in foreign industrial standards, these improvements are too slight to affect noticeably and beneficially the industrial situation in Great Britain. If these new

enterprises of the Council do not effect improvements in labour conditions abroad and a consequent diminution of foreign undercutting, they fail in their most important function.

At present these delegations to foreign labour movements seem designed to raise assistance for other countries rather than to minimise, by raising industrial standards, the competition of the foreigners' low-paid labour. The old practice in connection with the international trade union movement was to regard industry on the continent as providing the weak link in the trade union chain ; the old intention was, by strengthening this link, to enable it to reduce some of the strains borne by the British. If the manifestos of the Internationals are indicative of their present outlooks and policies, they aim not so much at the elevation of the working conditions of the continental workman as at the destruction, in other countries, of economic systems and older types of government. Their objectives are political rather than trade union. The address of the Trades Union Congress is 32, Eccleston Square, and that of the Labour Party, 33 !

For some time the Congress has given support to the fantastical attempts to solve the unemployment

problem by political action. The criticism of its attitude in this matter comes occasionally from the inside. Frank H. Rose, a Labour Member of Parliament, who possesses, in addition to a pungent pen, an old-fashioned regard for truth and possibility, wrote in May, 1923 : ' The simple truth is that our loudly trumpeted professions that we alone had the precious elixir of industrial life and health were based upon sheer pretence, and were, at best, nothing but plausible political gags. . . . Political Labour has no remedy for unemployment.'

The Labour Party has emphasised the conclusions of Frank Rose, for during its term of office as a Government, it neither accomplished, nor even indicated, any truly remedial measures. Students of economics are not surprised. They know that instead of the Labour Party and the General Council having better chances of solving this problem of unemployment by political action, they are, assuming political solution to be possible, in a less favourable position than either of the other parties who have avoided the handicap of economic heresy.

During the existence of the Coalition Government, the General Council claimed and secured the right to be regarded by the Government as the only national

trade union organisation entitled to be consulted on trade union and related subjects. Under the Conservative Government Sir Montague Barlow and Major Boyd-Carpenter disregarded this claim to the exclusive possession of knowledge and wisdom and met the Management Committee of the General Federation of Trade Unions. Mr. Sidney Webb and Mr. Tom Shaw have courteously followed the example of their Conservative predecessors.

Sometimes the Council's assumption of exclusive rights and its resentment of any infringement of what it considers its dignity involve it in procedures of doubtful benefit to the trade union movement. Its abortive congresses and indecisive pronouncements over National Health Insurance resulted in most of the trade union members joining and remaining with non-trade union approved societies. When Unemployment Insurance by industry was proposed the General Council again oscillated and finally came down against the proposal, and this despite the fact that a majority of the unions affiliated declared themselves to be in favour of retaining control over what had been second amongst their basic benefits.

The attempt of the General Council to boycott

the Committee on Industry and Trade, set up in 1924 by the Labour Government, is another case in point. This Committee was set up 'to inquire into and report upon the conditions and prospects of British industry and commerce, with special reference to the export trade, and to make recommendations in regard thereto.' The General Council has not only refused to give evidence in a matter so vital to the workmen of Great Britain, but has circularised its affiliated unions suggesting that they also should boycott the inquiry. The reason for this extraordinary action is to be found in the Government's failure to consult the Council in respect of terms of reference and of the personnel of the Committee. The following quotation from their circular to affiliated unions, bearing date of 2nd October, 1924, will show that the General Council's attitude has not been overstated :

'The General Council have been asked to give evidence before this Committee. They have, however, decided that as they were not in any way consulted as to the appointment of representatives to the Committee on Industry and Trade, nor at any stage were their views sought with regard to

the extremely wide Terms of Reference, *they are not prepared to submit evidence to the Committee or to take part in any way in the inquiry.*'

The decision of the General Council is extraordinary because the Labour Government, with which it acts, set up the Committee of Inquiry, and in appointing the members selected two from the offended organisation.

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## CHAPTER VI

### DEVELOPMENTS BETWEEN 1899 AND 1924

THE membership figures of the Trades Union Congress are rightly regarded as the membership of the British trade union movement. If its returns put its own figures too high, the totals of the non-affiliated unions would compensate—perhaps more than compensate—for any optimistic inaccuracy in the Congress returns. As the Congress figures rise and fall, so do the figures of most of the unions comprising it ; but the amalgamations which have taken place make comparisons between different periods in union existence difficult and rather misleading. Sometimes a union will show what appear to be extraordinary increases, but the increase is due to the absorption of other unions as well as to the enrolment of new adherents to the movement.

The following very abbreviated list<sup>1</sup> shows how

<sup>1</sup> *Vide Trades Union Congress Reports, 1905 and 1922.*

some unions have grown during the period 1905 and 1922 :

	Members		Fees to Congress					
	1905	1922	1905			1922		
			£	s.	d.	£	s.	d.
Bleachers & Dyers	12,000	25,000	18	0	0	310	0	0
Boot & Shoe Ops.	25,844	52,000	39	0	0	397	16	8
Card & Blowing Rm. Ops. ....	26,500	64,598	40	10	0	396	8	6
Engineering Union	90,000	356,570	135	0	0	1,841	6	8
Miners .....	330,000	800,000	495	0	0	4,133	6	8
Railway Clerks' Asn.	5,000	55,500	7	10	0	310	0	0
Railway Union, Natl.	53,407	338,794	81	0	0	1,761	0	0
Spinners, Amal. ..	18,552	53,571	30	0	0	277	4	3
Weavers, Amal. ..	82,835	218,949	124	10	0	1,131	5	9

The increased sum paid in respect of fees arises not so much from larger membership as from increased contributions. These are now demanded to meet the growing responsibilities of the Congress in respect of international politics and newspaper proprietorship.

There are, besides the Trades Union Congress, other national organisations concerned with the particular or general interests of trade unionists. Some of these organisations started as trade unions catering for particular groups of workers, but have developed into federations and amalgamations absorbing trade unions of analogous type. Others,

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like the Miners and the National Union of Railwaymen, have adopted forms of industrial unionism, while the General Federation of Trade Unions is a federation of autonomous unions of every type of trade and occupation.

The Miners have laid claim, not only to the men actually concerned in the getting of coal, but also to colliery enginemmen, surfacemen and craftsmen who work within the precincts of the mine. The National Union of Railwaymen has adopted a similar policy. At one time the membership of this union was mainly, if not wholly, confined to those actually engaged in transport ; but to-day it includes boilermakers, engineers, coachmakers, moulders, road-men and most others who work on or about the railways.

These encroachments have provoked, and will continue to provoke, bitter hostilities between the craft trade unions and the industrial organisations. The craft unions protest that they have spent their resources in fighting for whatever advantages in rates and conditions the craftsmen enjoy, and that the industrial organisations, having spent little in building up the craft status, are now increasing the actuarial liabilities of the craft unions by forcing

or persuading their most regularly employed members to join what is not a trade union, but a union of widely differing trades. Force is applied to possible members by refusals on the part of the industrials to work with the crafts unless the latter join the former. Persuasion is applied through the generally lower contributions. There is danger in this situation ; quite recently a national stoppage was threatened through the varying claims of unions representing craftsmen and other workers in the railway engineering and repair shops.

Up to the present the Miners and the Railwaymen do not appear to have gone beyond the demand to enrol workers who actually operate within the precincts of the mine or railway. There are, however, national unions who solicit the membership of every type of worker, no matter how organically antagonistic the interests of these types happen to be. They have no lines of demarcation ; they accept the whole range, skilled or unskilled, clerical or manual, male or female. Generally speaking, these conglomerate unions develop by adopting what is known as ' trust methods ' ; that is, they buy up, or crush out, those other unions who stand between them and their ambitions ; or they undercut

their contributions. They also blackleg those who resist their other blandishments. The Trade Union Congress is supposed to prevent this, but its success in defending the smaller unions against the larger ones has not been conspicuous.

Some of the older unions are handicapped in this struggle by a full load of non-actuarially constituted friendly benefits—all right perhaps as originally conceived, but amended out of all proportion by successive seekers after popular acclamation. To maintain these benefits a heavy contribution is required. In a trade union, or at a shareholder's meeting, it is never difficult to carry resolutions increasing benefits, or increasing dividends. Increasing contributions is another matter, and as friendly benefit liabilities accumulate in steadily increasing ratios—as they easily may within fifteen to twenty years of their adoption—the union offering similar face benefits for a lower contribution finds its opportunity.

These apparently cheap industrial unions have, in most cases, a large in and out membership, which is always paying contributions, but is seldom entitled to benefit. They are, by this circumstance, enabled to place in their advertisements promises of benefits

which the unions of longer existence and more stabilised memberships could not hope to pay. Were it not for these lapsing and returning memberships the financial position of some of the cosmopolitan unions would not bear looking at. Even with this advantageous circumstance the relationship of actual reserve to actuarial liability is often distressingly inadequate. When trouble overtakes them they are, not infrequently, compelled to suspend benefit; but they mitigate the position thus created by giving local branches permission to send round the collecting sheet or box. The official announcements of suspension of benefit, as in the case of their grandiloquently conceived unemployment schemes—a pound a week for sixpence a week, with a pre-war average of five per cent. unemployed—are pitiful confessions of actuarial ineptitude. It is the progenitors of these unions who have always insisted upon the State provision of what used to be regarded as the sheet-anchor benefit of trade unionism, viz. unemployment benefit.

In some of the older unions the contribution paid did bear relationship to the benefits promised, but sudden additions to membership by amalgamation, or by the action of extraordinary circumstances,

such as the war evolved, of middle-aged or elderly men on whose behalf no adequate reserve had been accumulated, has upset equilibriums. Mostly, however, the unions paying sickness, unemployment and funeral benefits become overburdened through the unwillingness of their members to believe that vital statistics concerning these problems are respecters neither of persons nor of unions ; that there is no actuarial magic behind the administrative capacity of a trade union, and that the power to levy special contributions for short industrial struggles may be adequate ; but that it affords insufficient returns to enable them to meet continuously accumulating liabilities arising from the provision of friendly benefits.

The bitterness engendered in the craft unions by this competition of the cosmopolitan organisation is intensified not only by the tendency of the latter to accept the membership of craftsmen, but to negotiate settlements at lower rates than the craft unions are prepared to accept. The secretary of the Coopers' Union recently complained that such a settlement had been effected on a basis of 1s. 4*d.* per hour as against the Coopers' district rate of 1s. 10*d.* Such settlements could hardly be possible if the

general unions did not include, and demand to be heard on behalf of, a percentage of skilled or partially skilled men, who ought to be in the craft unions. These men are outside the latter, either because of some trade union lapse or offence, or because of the lower contribution and the presumably greater chance of continuous employment which arises from the acceptance of the lower hourly or weekly wage. Such men are not strictly speaking trade unionists, but the general union provides them with a union card.

The struggle now going on between the industrial associations and the craft unions, and the struggle which is developing between the unions whose members are engaged in service occupations and those who are engaged in occupations affected by overseas competition, may temporarily disrupt, but are not likely to destroy. They are more likely to lead to compromise and reorganisation, for in spite of industrial antagonisms which find expression in demarcation and similar disputes, there is a generally accepted belief amongst workers of an ultimate commonalty of industrial interest.

The General Federation of Trade Unions is in fact, though perhaps not intentionally, based upon -

a recognition of this belief, and of the contemporaneous existence of particular rights which conflict, and general interests which attract. It provides for the fullest exercise of autonomy on the part of its affiliated unions; they may even fight each other if they choose; though such fights are discouraged by a refusal on the part of the Federation to pay financial benefits in demarcation or similar disputes. Its affiliated unions receive general or personal advice and assistance, together with statistical, historical and legal information. They receive also financial backing on an insurance basis, but there is no interference with management, finance, policy or politics.

The General Federation of Trade Unions is in a peculiar sense a creation of the Trades Union Congress, but the success of the former body has not in recent years met with the unqualified approval of the latter. On 19th July, 1899, following upon various conferences and much propaganda, the first formal meeting of the Federation was held in the Westminster Palace Hotel, London. Mr. W. J. Davis, the chairman of the Parliamentary Committee of the Trades Union Congress, presided, and Mr. Sam Woods, the secretary of the Congress,

acted as secretary of this inaugural meeting. Both chairman and secretary *pro tem* reported upon the standing of the societies joining the new general organisation, giving the number of unions and of members, and also their financial position. Mr. Woods laying stress upon his own and his colleagues' examination of particulars in respect of membership and financial returns. The unions originally affiliating in July 1899 numbered 44, and the membership they returned was 310,437. In March 1924 the figures were : unions affiliated, 117 ; membership returned, 920,050.

With this meeting in 1899 the responsibility and control of the Trades Union Congress ceased. The new organisation was successfully floated. Mr. Pete Curran was appointed chairman, Mr. Allen Gee vice-chairman, Mr. J. Maddison treasurer, and Mr. Isaac H. Mitchell, secretary ; all the appointments being for twelve months. The trustees were Mr. Alex. Wilkie, Mr. Ben Tillett and Mr. James Holmes ; the other members of the Management Committee being Thomas Ashton, W. B. Hornidge, Matthew Arrandale, W. J. Davis, J. N. Bell, Charles Gregory, H. Newell, and T. Mallalieu. The auditors were James Mawdsley and H. W. Millington. Nine

of these original officers of the Federation have already joined the great majority. Of the others, some have retired from active participation in the work of the unions, but three, Alex. Wilkie, Ben Tillett and Thomas Mallalieu are still actively engaged in official duties.

Whenever the General Federation and the Trades Union Congress are discussed by students or partisans, two questions arise: Why did the Trades Union Congress form the Federation; and what is the constitutional or functional difference between them?

The Federation was formed to undertake a function which the Congress, both in 1899 and in 1924, was incapable of performing. The Congress was primarily a political institution. It existed to influence opinion and not to finance strikes. But there was, amongst trade unionists, indeed, there has been from the earliest days of the trade union movement, a strong body of opinion favourable to forms of common support for particular disputes. Experience had proved, however, that even strongly organised and carefully financed unions like the Amalgamated Society of Engineers were unable, standing alone, to bear the financial

racket of a prolonged dispute which involved a considerable proportion of its members. Experience had also shown that to organise financial support by levy or by contributions voluntarily but irregularly paid would be as ineffective for a general organisation of trade unions as it would be for any individual union.

A number of schemes were discussed, some of them aiming, like the scheme of P. J. King, at an approximation to actuarial soundness; others manifestly depending on luck for success. Compromise suggested the wisdom of modifying both the actuarial and the altruistic. It was, therefore, determined to form an organisation with a constitution sufficiently elastic to permit the enrolment of all types of trade unions desirous of attaining *bona fide* trade union objectives, and sufficiently cheap to attract. It was to be business-like enough to insist upon the cardinal trade union principle of continuous financial preparation for the struggles which must ensue between employers and employed; and that principle of regular contribution to insure the regular payment of specified benefits.

The Trades Union Congress could not undertake this task, because only a part of its membership

was prepared to contribute towards a common fund for the common underwriting of strikes and lock-outs. The objections of those who opposed the scheme were not all alike. The late Mr. Samuel Woods declared that no common fund could be accumulated which would not easily be swamped by a miners' general strike or lock-out. Some unions declared themselves to be in favour of the principle, but saw small profit in the application of the principle to their own organisations. This form of objection was generally raised by unions representing what have since become known as service, or sheltered, occupations. Because of their special circumstances, these unions expected greater immunity from extensive and long continued disputes than might be the lot of those less favourably placed. Some of them had special agreements with their employers, and they acted as if they expected these agreements to continue in perpetuity. And so, for one reason or another, out of a Congress membership of 1,200,000 only 310,437 demonstrated their willingness to pay a common trade union contribution for a common trade union purpose.

It was this preponderance of non-contents with

any scheme of common contribution, and the preponderance of non-contributors to its own scheme, which made it impossible for the Congress itself to undertake the underwriting of trade dispute risks. The miners, the railwaymen, the carpenters and others who were, for various reasons, averse from making common contributions to a common dispute fund, were members of the Congress claiming their right to share in the formulation and execution of its policy ; even though that policy was opposed to the interests of the minority which desired common financial reserves by regular contributions.

There was justification for the demand of the majority to determine the policy of the Congress. Majorities ought to determine both in unions and States. But policy was bound to affect, and, in the case of a general strike for political purposes, perhaps prejudicially, the stability and sufficiency of the common fund. Those who provided it claimed, therefore, the right to place it outside the control of those who, because they did not contribute, might carelessly dissipate.

The demand for a Federation of trade unions was strong ; the conflicting interest seemed incapable of reconciliation, and so the Congress cut the

knot, and hoped to cut its difficulties by assisting in the formation of a perfectly independent and autonomous association of trade unions, specially charged with the orderly provision of insurance against the financial risks of trade disputes. The Federation proclaimed in its rules its belief in, and its desire for, industrial peace, but declared at the same time that its main objective was the maintenance of wages and the improvement of working conditions. The Federation began to function in July 1899, to accumulate funds and to acquire influence in trade union affairs.

Pete Curran, its first chairman, and Isaac H. Mitchell, its first secretary, were equally zealous in developing its position and in maintaining its rights. At first this was possible without much antagonism resulting, but the formation of the Labour Party and its assumption of the political functions of the Trades Union Congress left the latter without much excuse for continued existence. It had delegated the strictly trade union function of providing funds against strikes to the General Federation, and a year later it delegated its most pertinent political functions to the Labour Party.

The probabilities are that it never intended to

divest itself of so much authority. But it was several years before the real situation became generally apparent. Then attempts were made to modify, or at least to keep under control, the antagonism which arose through each of the national organisations pursuing different aims. What was called the Joint Board came into existence for this purpose. It was composed of an equal number of representatives of the Trades Union Congress, the Federation and the Labour Party.

The responsibility for this attempt at reconciliation belongs to the General Federation, and for a time the effort promised good results ; but a complaint of blacklegging, preferred by the Federation on behalf of a small, against a large, union, provoked animosities which ultimately led to the Board being destroyed, the main object of the resolution moved at the Birmingham Conference in 1916 being the exclusion of the General Federation from participation in general labour affairs.

Anyone reading the minutes of the proceedings of this Joint Board will discover decisions which, in the light of present-day speeches and tactics, seem very curious. A sub-committee, consisting of Sir (then Mr.) David Shackleton, J. Ramsay

MacDonald, M.P., J. Keir Hardie, M.P. and myself, was appointed to consider unemployment insurance, and so great was the fear of over-insurance stimulating claims and encouraging idleness that a strictly insurance basis was insisted upon, and a benefit limit of 5s. per week was fixed. At a subsequent meeting, when only Sir David Shackleton, Mr. Keir Hardie and myself were present, this definite limit was taken out of the proposals and the sum to be paid was left to the discretion of those who became responsible for the scheme.<sup>1</sup>

Keir Hardie, one of the most lovable of men, who was always to me the personification of gentle courtesy, was a decided enemy of the idle. 'He that will not work, neither shall he eat' was a phrase which came familiarly to and from his lips; but he hesitated to fix the benefit to be paid by the unfortunate and the unenergetic at 5s. per week. He was strongly in favour, however, of retaining trade union control over the payment of unemployment benefit, and supported a report presented by Arthur Henderson, C. W. Bowerman, J. Ramsay MacDonald and myself, in which the following occurs: 'Trade unions *must be* the media through which

<sup>1</sup> *Vide* Joint Board Minutes, 26th May and 15th June, 1910.

trade unionists receive unemployment benefit. Non-unionists drawing benefit from the Labour Exchanges should pay an additional premium towards the cost of management, otherwise the trade unionist who has for years endeavoured to help himself will be penalised.’<sup>1</sup>

It was in pursuance of this policy that the General Federation, through Colonel John Ward, in 1922 submitted its Bill for Unemployment Insurance by Industry. This Bill, while it proposed to keep unemployment insurance in the hands of the two parties to industry—the trade unions and the employers’ associations—suggested arrangements for those who might, either temporarily or permanently, find themselves outside particular industries. It provided an equalising scheme as between the successful and the unsuccessful organisations, but it was officially opposed by the Labour Party, whom political exigencies had driven from the 1911 position.

The General Federation, while maintaining its right to make political pronouncements, has always had regard to the differing political opinions of its membership. It has, consequently, refrained from

<sup>1</sup> *Vide* Joint Board Minutes, 20th June, 1911.

subordinating itself to any particular party. No attempt is made to encourage the doctrine that a workman, when joining a trade union, loses his political or religious independence. The rules of the Federation give no one the power even to question the right of any workman to vote and to pray exactly as he pleases.

That this is not always fully understood is evinced by the attitude sometimes adopted towards the Federation's Health and General Insurance Sections. Here it is not uncommon to find people afraid to insure with what they have been led to believe is a politically dominated institution. This is regrettable from the Federation's point of view, because its staff claims to have demonstrated the capacity of a working class organisation to deal successfully, not only with the underwriting of strike risks, but also with general insurance business. They rather proudly point to its record on the dispute side as one that renders it impervious to the attacks of those who criticise the extravagance of trade union management. Since its formation in 1899 the Federation has received in contributions and entrance fees, to 30th September, 1924, the sum of £1,260,039. Of this sum £1,137,068 has been returned to the

members in the shape of direct money benefits, while it possessed, at the same date, a reserve of £139,336.

The members of the Federation, therefore, have received in cash, or hold in reserves, £16,365 more than they have contributed, the whole of the expenses of management having been paid out of income earned by investments, and in other ways. This result may be attributed to the avoidance of expensive attempts upon other people's membership and the avoidance of grandiloquent, but non-trade union and financially unsound, enterprises.

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## CHAPTER VII

### THE PHILOSOPHY OF TRADE UNIONISM

TRADE unionism represents neither a fixed nor a constant proposition. It is a movement actuated by human desires and circumscribed by economic possibilities. Neither its officials, its protagonists, nor its opponents understand it, except, perhaps, to the extent that they understand human nature and are able to estimate the probable trend and expression of human desire. No one is yet able to say what trade unionism will do to-day, or what it is likely to do under circumstances which, though not existing to-day, may easily arise to-morrow. It is full of alternations, inconsistencies, selfishnesses and altruisms, and these characteristics of the movement are representative of the same qualities as they exist and find expression in individual men and women.

Mr. Sidney Webb has described trade unions as

'continuous associations of workers for the purpose of maintaining wages.' In my previous book on trade unionism I described them as 'organisations voluntarily constituted for the betterment of wages, hours and working conditions of people engaged on similar materials, using similar tools and producing similar results.'

Both descriptions were right as far as they went, but neither went far enough. Trade unionism is much more than either description indicates. It is, in addition to being a movement for the regulation of wages, an expression of human emotions and tendencies and desires. As these vary in aim and expression, so does the movement.

Trade Unionism is a consequence of the separation of the employing and the labouring functions. It is not a unified and consistent entity, but rather a manifold expression of contradictory types.

There is what some call sane, or business, trade unionism, the type indicated in the constitution and practice of the General Federation of Trade Unions in Great Britain, and the American Federation of Labor in the United States ; though in neither of these organisations is the sanity or business conception absolute. Both affiliate units of differing type,

and both, at times, oscillate between the influences of the sane and the revolutionary.

Another form there is which may be termed the altruistic, a type which seeks to add to the primary functions of business unionism certain responsibilities and efforts for the improvement of social conditions and amenities outside the narrower limits of the worker's occupation or working surroundings. There is the revolutionary type which sees no chance of improving conditions except by destroying existing forms of society, and which regards the revolutionary union as a means to this special end rather than as a machine for improving wages. There is also the service type of union, the type which aims at using its economic and political power, through its organisation, for its own immediate aggrandisement, and this regardless of the consequences to other trade unionists not so favourably placed. The building trades, railways and public utilities afford examples of this type of union. A further distinctive kind of union is the one started by the employers, or whose existence is dependent upon the employer's tolerance. These latter are frequently termed 'yellow' unions.

The employers starting and running the 'yellow'

unions may be engaged in either private or State enterprises, may be either individualistic or socialistic. The nature of the business control, public or private, does not alter the character of the union; though it may materially alter the conditions operating against the workers. In disputes the private employer can only use his own resources, or those of any association to which he might belong, but where the employer is the State, resources drawn from the workers themselves may be used, and are used, against the workers' trade unions.

Apropos of this probability is an extract from a letter of Mr. Arthur S. Drakeford, the secretary of the Australian Federated Union of Locomotive Enginemen (July 1924). He says :

' My Union, which covers 95 per cent. of the Locomotive Enginemen employed by the respective Governments, Commonwealth and State, of Australia, is naturally anxious to have the best information obtainable both for and against our claims, when our case comes before the Court for decision, particularly as it will be the first case heard by the Federation Court in which the whole

of the people concerned are employed by the State Governments, and *the State Governments will have the advantage of unlimited funds at their disposal to fight us with.*'

Much more serious is the position when the State, as in Russia, claims the right to organise the workers and refuses to permit them to elect their own delegates, but sends officials appointed by the Government to enforce the wages and working hours which the Government itself has imposed ; which also punishes any objectors, conscientious or otherwise, with starvation and imprisonment.

*Justice*, the recognised organ of the Social Democratic Party, has been perturbed over the development of this type of unionism, and has emphasised the objections in the following terms, quoting as a justification for its hostile criticism the Report of the All-Russian Central Council of Trade Unions : ' It appears that in the year 1922 the income of the " Central " was 5,678 milliards of Soviet roubles, 331 milliards being contributions from the affiliated unions and 5,027 milliards derived from State funds (6.8 per cent. against 88.5 per cent.). In the year

1923 the total income was 1,997,246 gold roubles, the contributions from affiliated unions being 132,804, and the moneys received from State funds 1,816,115 gold roubles (6.6 per cent. against 90.0 per cent.). In the first quarter of 1924 the Central Council had an income of 867,458 gold roubles, the trade unions contributing 61,968, the State 796,044 gold roubles (7.1 per cent. against 91.8 per cent.).' In no case, however, does *Justice* think that even a 'yellow' union has received as much as nine-tenths of its income by way of subsidy!

Unfortunately there are others claiming to represent trade unions who are neither as outspoken nor as honest as *Justice*. On 24th June, 1924, the Joint International Department of the Trades Union Congress and the Labour Party formulated a series of damning charges against the Soviet Government. These charges dealt with various official crimes, ranging from the suppression of free speech and trade unionism to imprisonment, exile, brutal murder and widespread massacre. They were officially presented to the Soviet representatives, but were never published. A few copies, marked private and confidential, not for publication, were issued to the inner circles of the two

bodies, but the rank and file of the trade union movement knew nothing about them.

The Soviet Government supplied an answer, which was in fact an admission of guilt, but, in spite of this, men who had full knowledge of all that had been charged against the Soviet subsequently induced Mr. MacDonald's Government to sign the Soviet treaty. The logically minded may be bewildered by this kind of conduct, but association with the 'yellow' strain involves strange expressions of faith and policy.

Not only have these people shielded the Soviet, but they have accepted an invitation to send a deputation to Russia. The expenses of these deputations are usually paid by the trade unions. If the usual procedure is followed in this case, the trade unions, who know nothing of the charges these men had formulated against the Soviet Government, may be deceived by untruthful reports, and in addition may be called upon to pay the deputation's expenses to and from Russia. These 'yellow' unions are not to be commended either to the decent workman or the decent employer.

Subdivisional types of unions might be added,

but the main ones already indicated are sufficient to suggest grave variation and complexity in union aims and policies. This complexity is intensified almost beyond calculation by the fact that inside each of these typical trade unions there are individual members corresponding in themselves to the types of unions enumerated—sane, altruistic, ‘red,’ selfish, ‘yellow’—and perhaps to some subdivisional types which have not been discovered or separated.

Add to this collective complexity the certainty that every individual in every union, during some portion of his union career, has emotional leanings towards each of the types ; that these leanings find concerted and disconcerted and illogical expression ; and the task of those who attempt to deal, either administratively or critically, with the organisations is seen to be very difficult. Indeed it appears greater than that of Sisyphus, who, condemned for offences against Jove, was compelled to roll uphill a great stone, which, on being pushed to the top, eternally rolled down again. The trade unions, because of their dominating human element, are constantly differing, cleaving and breaking, and just as constantly composing their differences and

reassociating. It is as if the movement was perpetually and alternately agitated by centripetal and centrifugal forces, drawn together only to be scattered and drawn together again. Sometimes it has been suggested that the accepted picture of Sisyphus, perpetually engaged at his great and never accomplished task, more accurately represents the soul of trade unionism than do the orthodox emblems of the firmly clasped hands or the closely bound bundle of sticks.

The unions are often charged with lack of logical apprehension and continuity of purpose. Of course they lack both, and seeing that they represent, in varying proportions, every phase of human impulse, fault, virtue and desire, and every degree of capacity for endurance and expression, their difficulty in outlining, or in pursuing, logical and continuous policies is not to be wondered at. If it is remembered that each trade unionist is a unit representing in himself all the chartered phases of trade unionism, and a few unchartered phases, the wonder is, not that the unions mistake so much, but that they mistake so little.

It is unfortunate that this dependence upon human emotion and desire has not been more fully

stated and appreciated. Had the psychology of trade unionism been more carefully studied, the task of those at the head of the unions might have been less invidious, and that of those who are trying to keep the unions within the bounds of economic possibility would have been easier. Perhaps also the task of those who have used these psychological factors for personal or political advancement might have been harder.

Before trade unionism can be correctly judged it is necessary to know, not merely its history, but its psychology ; to understand not merely what the officials consciously intend, but what the members of the various trades have suffered and what they consciously and subconsciously desire. Even when the movement is better understood and the dangers which attend its expansion are more fully appreciated, and the public desire for its more effective regulation has become more insistent, the task of dealing with it will not be an easy one. It will not be sufficient to say what ought to be done. Someone must discover and declare what can be done.

It is frequently said, both inside and outside of the trade unions, that in some of their activities they have become socially dangerous, and it is

common to hear demands for their control. If unionism was really the expression of a few ignorant and disruptive leaders, the task of controlling or circumscribing its anti-social activities would not be impossible. Any folly could be checked by the internment of the fools. But all the leaders are not ignorant, nor disruptive. Some are neither; but behind the wise and the otherwise amongst them is that mass of seething desire which may be both, and which seeks, not only immediate return for effort made, not only shares of earned or unearned wealth, but also assurances of an easier and safer passage from cradle to grave.

This mass desire, when aroused by suffering or oratory, has little regard for right or wrong, possible or impossible. The leader who seeks to restrain may be passionately swept aside, while he who, through ignorance or chicanery, prevaricates may retain office, but not always does he retain respect. The leader who blunders through sheer incapacity, especially if it be jocular incapacity, may more easily escape penalties than the one who tells the truth or the one who tells lies. There is a noticeable tendency to regard such a blunderer as the savage is said to regard the idiot—as one who, being

afflicted of God, ought not to be unduly assailed by men. That this inconsistency in leaders is treated in unionism with the same toleration as it is treated in politics ought to surprise no one. Human nature itself is inconsistent, and the leader who oscillates will always find someone holding whatever point of view he temporarily enunciates.

Such a leader is in similar case to the tipster who spreads his selections over every horse in the race, and sends the selections into different districts. One of them is sure to get home. If humanity read more than it imagined, and thought more than it felt, a different result might follow, and the task of the sane trade union leader might be easier.

What is called the scientific study of trade unionism is most difficult. Nearly everyone who has attempted this study has been handicapped by his personal view-point, and this view-point is the result of association and environment rather than of exact knowledge and calm reasoning on the one hand, or of wilful perversity on the other. If one has regard to the facts of industry, the sufferings endured in industry, and the partisan spirit manifested by those who take the other side, the oft-times passionate prejudices of the unionist can be

understood and almost be condoned. It is not surprising, if history and psychology are studied, that the worker should feel prejudice, or that even his capable officials should develop some cynicism.

The extent to which view-points differ, even amongst those students and exponents of the movement who are conceded the possession of average ability and sanity, is evidenced in any discussion. This difference is clearly demonstrated in the utterances of two Americans, who, approaching the subject from the workers' and from the employers' sides, declare :

' There is not a wrong against which we fail to protest or seek to remedy ; there is not a right to which any of our fellows are entitled which it is not our duty, mission, work and struggle to maintain. So long as there shall remain a wrong unrighted, or a right denied, there will be ample work for the labour movement to do. The aim of our unions is to improve the standard of life ; to foster education, and instil character, manhood and an independent spirit among our people ; to bring about a recognition of the interdependence of man upon his fellow men. We aim to establish a normal workday, to take the children from the factory and workshop ;

to give them the opportunity of the home, the school and the playground. In a word, our unions strive to lighten toil, educate the workers, make their homes more cheerful and in every way contribute the earnest effort to make their life better worth living.

. . . The trade union movement, true to its history, its traditions and its aspirations, has done, is doing, and will undoubtedly do more to humanise the human family than all other agencies combined.’<sup>1</sup>

‘ My denunciation was, and is, of a defiant labour trust machine representing less than five per cent. of the wage earners of the country, every page of whose history is black with the foulest deeds of inhumanity and injustice, from dynamiting and murder to throwing egg shells filled with acids at dumb beasts because their drivers were not cogs in the wicked labour machine ; a machine whose leaders have endorsed its crimes because its demands could be enforced through the perpetration of such crimes ; a machine whose leaders have for years striven, and are to-day striving, so to cripple our courts that no injunctive interference can prevail in cases of labour disputes to protect peaceful and law-abiding

<sup>1</sup> The late Samuel Gompers, president of the American Federation of Labor.

workmen in their God-given right to labour and enjoy the right to life, liberty and the pursuit of happiness, and who are doing their utmost to secure release from the Sherman law under which some of them have been tried and found guilty.

‘ Every time an employer of labour permits himself to be intimidated or coerced into closing his shop, or other place where labour is performed, to all but those who are members of this organisation, he commits a crime against the Constitution of the United States and a sin against humanity. When he willingly refuses a boy an opportunity to learn a trade because a labour union says the boy shall not have it, he compounds a felony. When he refuses to deal in wares because a labour union has placed its brand of disapproval upon them, he brands himself a coward and becomes unworthy of the patronage of decent citizens.

‘ Conciliating and compromising with crime, and juggling with the principles upon which Christian civilisation and justice are based, will never solve the labour problem. . . . This question of belligerent unionism is not one of sentiment. It is not a question to be trifled with or treated with apathy or indifference. . . . The thing in the eye of God

is wrong, and to attempt to clothe it in the livery of heaven only adds to its wickedness.' <sup>1</sup>

Could view-points differ more? Both men are dealing with the same subject ; both aim at doing good to the people they represent and to the country of which they are citizens ; and neither would regard his utterance as unfair or inflammatory. Each man is really representative of his class.

The rest of the world may not put its views so forcibly, but, in so far as it holds views, it usually takes up the same partisan attitude. It is either for or against. The majority is inclined to think that a thing is good if only the thing is established and has become institutional ; the minority has to guard against the tendency to feel that a thing is good merely because it is said to be revolutionary.

It is very hard to put aside inherited or acquired prejudices and search for nothing but the truth. Yet if we did that we should find that none of the ' -isms ' we studied, not even excluding trade unionism, were absolutely good, or absolutely bad, or in themselves promised results that were absolutely realisable and perfect. Unless and until this study is attempted, our conclusions for and against trade

<sup>1</sup> The President of the National Association of Manufacturers (America).

unionism are speculative and critical, when they should aim at being exact and constructive.

The chief error of modern trade unionism is that of generalising from false or inadequate premises. It is not uncommon for decisions to be taken and action attempted without any real inquiry into all the facts and all the possibilities. The facts of a situation as they press upon the workers are *felt* rather than *considered*. The chance of hurting those who appear to be responsible for the oppressive facts, i.e. the employers, appeals to men who have experienced oppression, but the possibility of unfavourable reaction against the workmen is not always properly explored.

Rhetoric is too frequently mistaken for argument. The man who, at the 1924 Trades Union Congress, discoursed eloquently upon the sorrows of the unemployed earned applause, but beyond this he accomplished nothing. There were scores of older delegates who had themselves experienced the sufferings the orator depicted, but neither he nor they advanced any practical remedy. If they knew the remedy, they dared not formulate it.

To ensure the consideration of trade unionism as a fundamental industrial problem, and apart from

inherited or acquired prejudices and unbiassed by its possible applications, requires the type of mind which is sometimes developed in the universities, but which is seldom found in the partisan atmosphere of the actual movement. Few men in the movement realise its complexities or the need for abstract study as a preparation for official work, and fewer still there are who, apprehending, possess the time, the temperament and the capacity for the task. It is rather in the world of economics and letters that one may hope to find men who have not only the temperamental aptitudes and scientific attainments required for a study of the movement, but also the leisure which financial competence gives. It may indeed be groups of men engaged in research, deduction and explanation who will elucidate the philosophy of trade unionism and tell us what ought to be, and what can be.

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## CHAPTER VIII

### THE TASKS OF TRADE UNIONISM

AFTER the problem of its own existence the next thing in importance to trade unionism is that of wages. 'To raise the wages, shorten the hours . . . is my last, and to that last I'll stick,' was the definite utterance of Joseph Arch, one of the ablest leaders the movement has ever possessed.

Joseph Arch was right, though unfortunately in later life he was persuaded to deviate from his original position. How to increase, maintain and insure the regular receipt of wages is the question of questions, the primary function of trade unionism. Other things may intervene and sometimes seem to supervene, to come between and to ride over, but always to the rank and file recur the need for wages and the desire for better wages; and by better wages is popularly meant higher money payments. Not too many understand that the

most widely effective way to secure a real rise in wages is to secure a fall in prices.

At the moment there are many, both inside the unions and outside, who are not quite sure whether wages should be based upon the principle of rewarding efforts or upon that of satisfying needs. It may safely be assumed that, in the ultimate, remuneration based upon the former principle will be the method obtaining. Whatever form society takes, it seems certain that it must, for its own protection—at least for the centuries during which the millennium and the perfect man are evolving—institute and maintain systems of individual rewards for individual efforts ; wages to the man who works ; not merely food to the man who is, or who feigns to be, hungry.

Unless society does this, it will be faced with the alternative plan of imposing legal penalties upon the idle, and the necessity of compelling effort by force, or by threats of punishments involving not only the actual offender, but also his dependants.

A system of rewards being preferable to one of punishments, it matters little whether these rewards are termed wages or salaries or honorariums or emoluments. Wages may, indeed, be regarded as

the best term because it is commonly held to imply equivalents between efforts put forth and rewards received : so many hours, so much value, so much wages.

Many misconceptions exist concerning wages. Some of these have been unwisely encouraged by those who were seeking revolutionary changes in society. In some quarters there has been the contention that the acceptance of wages was offensive to human dignity. It has been held that the wage system was invented by the capitalistic class and was a system designed to enslave the proletariat. Men who work for wages have been described as 'the wage slaves of the capitalistic system.'

This description, and the assertions concerning loss of dignity, are more rhetorical than truthful. In fact, the farm labourer accepting 25s. per week from the farmer suffers no greater loss of dignity than the Prime Minister suffers when accepting £5,000 a year from the Treasury. It may be that one is badly underpaid, and the other conceivably overpaid, but in neither case does the question of compromised dignity arise. It could only arise if either, or both, felt, on accepting payment, that the effort to create the value represented by the

sum received had been a dishonest one ; if, in short, the recipient felt he had not done his best to earn the money.

Wages are not necessarily or absolutely determined by the law of supply and demand, or by considerations of equity. The community as well as the unions should understand this. Wages are immediately, and for shorter or longer periods, determined by bargaining power. The trade unionist knows this and seeks to develop bargaining power by combination. This power is admittedly influenced by supply and demand and sometimes even by considerations of equity, but these are not the sole considerations. It is further influenced by circumstances. Good examples of these influencing circumstances were the miners' threats to withhold coal during critical periods of the war and the railwaymen's hold-up of transport in September, 1919. Both organisations, in addition to any advantages accruing from special demand, possessed an organised grip upon society which gave them special bargaining powers, and these powers they used regardless of the consequences to other workers.

In fixing wages standardisation of quality and output has been introduced. This standardisation

has led to bitter criticism, particularly where the reasons for its introduction have not been understood. The workers have learned by bitter experiences that unregulated conditions amongst themselves encourage vicious competition, which in turn involves progressive reductions in wages. An employer without scruple or in difficulty is tempted to take advantage of every turn of the market, and he will be encouraged and assisted by the weak and out of work who, in their weakness or misery, will bid for the places of those who are in employment. The pace of the battalion is determined by the pace of its slowest section, and it is clearly understood by the trade unions that the competitive strength of the general body of artisans or labourers is the strength of the weakest artisan or labourer seeking work ; that, apart from trade unions, wages fall as surely as water falls, and tend to sink to the level of those obtainable by the weakest and poorest bargain maker. It is also understood in the competitive trades that the rates fixed are never finally fixed, and may be lowered by the imposition of extra tasks, requiring longer time, or greater effort, just as surely as they may be lowered by reduction of the price per hour or per unit of work agreed upon.

This is the theory upon which trade unions base their claims for a minimum rate and a minimum effort ; not too little money, and not too much work. They urge that the application of this theory does not necessarily reduce all workers to the same dead level of performance, because there is nothing in the theory to prevent the employer increasing the rate, or reducing the effort, particularly in the case of specially skilled or devoted workers.

This the employers admit, but urge, on the other hand, that any attempt to add to the rewards of the efficient brings speedy demands from the inefficient for equal consideration and equal remuneration. Or, in other words, that specially to reward particular cases is to invite a demand for general advances, which it may not be possible to meet without increasing prices and jeopardising markets.

It is held by many that the problem of wages would become easier if piece-work were universally adopted. Generally speaking, trade unions oppose piece-work, and their opposition arises from the belief that it conduces to greater effort, longer hours and relatively, if not actually, to lower rates of pay. That the desire to earn more grows in one individual

to the disadvantage of others, and that this individual, though receiving more money, does not receive as much as he ought to receive in view of his extra output and the consequent saving on overhead charges. It is also held that though the piece-worker increases his own wages, his greater and more sustained efforts limit the earning opportunities of others, and prevent many earning any wages, and so reduce the sum total of wages paid. There is also the belief that piece-rates encourage slipshod work and reduce skill, and that the damage to skill is greater where the skill is highest.

All trade union action is affected by experience more than by reasoning, and it is advisable to remember that amongst trade unionists, as amongst most other people, it is the bad experiences that are most persistently remembered. There are few piece-workers who have no story to tell about artificially accelerated output being followed, first by invidious comparisons between their earnings and the general average earnings, and then by reductions in rates. Most of them claim to have had experience of alleged shipping orders which had to be rushed in order to secure repetition, or

to prevent cancellation. They tell unpleasant stories of reduced rates following the completion of these orders.

Employers frequently declare that only the scallywags amongst them are guilty of such practices. If this is so, trade union history and labour experience suggest that the percentage of scallywags has been more than moderately high. Perhaps the truth in this matter is that while in the old days it was common for the employer to play tricks with his piece-workers, that employer's successors, in growing numbers, are finding that honesty is profitably, as well as ethically, the best policy when dealing with piece-workers.

It should not be forgotten, when considering the productivity of the piece-worker as against that of the day-worker, that the former believes these higher working standards may result in a shorter working life. If the industrial pressure becomes greater than the normal man, normally nourished, is capable of sustaining, his fears are justified, for there follow, almost inevitably, diminished vitality, premature old age and industrial incapacity. In such cases it is argued that the worker is the loser by increased efficiency and the employer the gainer,

and the question is asked : ' Why kill ourselves to enrich the boss ? '

There are strong tendencies amongst workers of the present day to take this matter of premature exhaustion very seriously. They feel rather acutely the unfairness of expecting them, by exhaustive effort during youth and middle life, to curtail the sum total of their working days. Their method of reasoning is : ' If I go slowly, I may last until sixty ; and even then there is ten years to wait for the old age pension. If I go all out on piece-work, I may crock up at forty-five or fifty, and who is to take care of me then ? An extra fifteen per cent. as a piece-worker during twenty-five years of my life will not compensate me for a thirty or forty per cent. depreciation of industrial capacity during the remainder.' Where they do not reach this conclusion of their own volition they are often ' Couéd ' into it by the repeated assurances of others.

This attitude of the individual towards the speeding up which accompanies piece-work explains the attitude of his leaders, who generally manifest hostility. Those who favour the adoption of piece-work very reasonably demand that the rates shall be adequate and stable.

After all, the remedy for the evils which admittedly pervade the system seems to lie, not in the prohibition of piece-work, but in control of rates and conditions. In the stress of modern competition, which unfortunately is international and beyond the control of governments, socialistic or otherwise, it must be industrially dangerous definitely to prohibit systems which encourage production. It is urged against piece-work that it drives out the physically weak, the constitutionally slow and the constitutionally idle. Every sympathy will be felt for the former, but none for the latter. The idle man is a parasite who should not be tolerated, either in the trade unions or in society.

Trade unions have tasks more difficult than those arising during the controversies about day and piece rates. Nothing troubles them quite so much as the cultivated tendency to reject settlements effected by the officials. Weeks of negotiating effort are sometimes thrown to the winds because the bargain made appears to be unsatisfactory. Sometimes the disturbing influence is inside the union ; not infrequently it is outside. The 1924 shipyard strike at Southampton affords an example

of the latter. The Communists were held to be responsible, if not for the outbreak, at least for its continuance. At the annual meeting of the General Federation of Trade Unions their complicity was denied, but, unfortunately for the man who gave the denial, the Communist newspaper had publicly thanked him and other named colleagues for the work they had done in the strike.

The unions must secure the acceptance of their bargains. Unless they can do this, the main reason for their existence disappears. It is useless to claim the right to bargain collectively if they lack the power to secure the acceptance of bargains collectively made. Who will continue to bargain with officials who have no control over their members? Who will sympathise with members of trade unions who, having elected representatives, refuse to honour their undertakings?

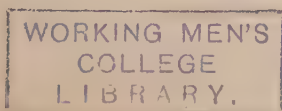
The unofficial strike is another problem which trade unionists must solve, or they will suffer. Many officials might have publicly condemned these strikes, but dared not where they had political aspirations.

Repeatedly during the past six years the General Federation of Trade Unions, which places industry

before politics, has called attention to the dangers which such strikes created. Unfortunately it has, until recently, received little but attack and opprobrium for its endeavour to save the trade union movement from the disintegration which must follow the practice of striking regardless of rule or of agreement. The founders of trade unions always looked upon the strike as the last weapon; the modern protagonist acts as if it were the first. Possibly some of those who promote the unofficial or the so-called lightning strike are actuated by the best of motives, or they may be craftsmen suffering under obvious grievances, but, generally speaking, wherever a motive is discernible, it is a personal, or at least a non-trade union, motive.

Trade unionism cannot exist apart from trading and collective bargaining. The originating and dominating principle of trade unionism is common arrangement in respect of wages, hours and conditions, and this is impossible apart from the existence of collective authority. The unofficial strike is, therefore, the first stepping-stone towards industrial chaos, towards crashing wage rates and lowered standards of living. So seriously have these strikes sacrificed the public interests that public

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sympathy has been alienated, and what is even more dangerous to trade unionism is that such strikes are antagonising those workers who, understanding something of trade and commerce, are not prepared to see either made the sport of men who are seeking to gratify personal ambitions. These well-informed workers, who have hitherto been the backbone of trade unionism, are becoming disgusted. If they quit the movement all workers, skilled and unskilled, must ultimately suffer.

Some of the recent unofficial strikes of this character have been examples of folly and selfishness rather than of solidarity and sympathy. It may have been the intention of those who engineered these sympathetic strikes to give assistance to other sections of workers, but, if their action hurts ten times as many workers as it benefits, it savours very much of the practice of cutting off one's nose to spite one's face.

Another tragedy of the unofficial strike as recently practised is the misery which is unsympathetically inflicted upon other trade unionists. Some leaders of these strikes have spoken contemptuously of the general public. Well, ninety per cent. of the general public are workers, or the dependants of

workers, and to the extent that these are inconvenienced and prejudiced the unofficial strike is anti-social. Sooner or later the public will realise the anti-social nature of these unofficial and so-called sympathetic strikes, and may then act towards the strikers as drastically as the strikers have acted against them; because the majority believe that such strikes hold up the public services, and inflict hardship upon the community, and may become an effective way of promoting unemployment, of dissipating trade union and friendly society funds, and of bringing ruin upon industries without which the people cannot live.

Grave mistakes have been made by those who have indulged in the so-called sympathetic strike. They have desired to hit the capitalist, but have forgotten that the modern manipulator of capital is rarely the owner of it. He controls the capital of investors, many of them small, and just as poor as the sympathetic strikers; but his personal liabilities are confined to the value of his own shares. Every sudden strike damages the credit of the concern he runs, and jeopardises, not only the chances of the shareholders, but also the chances

of future employment of the very men and women who strike.

The blame for these ebullitions does not necessarily rest with the workmen. Sometimes these strikers are more to be pitied than blamed. They may have been the victims of the cupidity and stupidity of employers, and they may also have suffered through the oratory of the competitive politician and the competitive trade union organiser ; the former promising every form of industrial and social betterment in return for votes, and the latter every desired condition in respect of wages, hours and conditions, in return for membership of the particular union whose servant he is.

The employer, even when he possesses the ability, does not always take the trouble to find out in what way and to what extent his changes in methods and prices affect the people he employs. If his attention is called to this omission, he will frequently ask, with quite genuine surprise, ' Why should I ? It's my business, not theirs.'

In law that may be perfectly true, but to-day it is difficult to develop successfully a business on terms of law, if in the development the assistance of other human beings is required. It may be

necessary to cut prices and to make sequential modifications in wages or hours, or both, but the necessity is not always apparent to the worker, while the consequences of reduced wages or lengthened hours hit him right in the face. When he knows, as he sometimes does, that contract prices have remained intact, while his wages have been reduced, his desire, not only to turn everything up, but to take his fellow-workmen with him, becomes excusable.

Such, indeed, was the temper of a group employed by a firm which had secured a large contract for bullet-proof plates ; wage rates were agreed upon and the men encouraged to race ; they earned high wages, in one case £16 in the week. Then the firm decided that such wages were too high and drastically reduced the rates, while the men met and decided to limit the amount which might be earned in a week. They penalised the firm which had penalised them, by making the work last twice as long as it would have done on the original rates. The firm gained on the lower rates, but lost heavily on overhead charges and by plant and capital being partially immobilised.

Had the wages been nearer the subsistence rates,

the probabilities are that the men would have downed tools without waiting for the advice or interference of their union officials. Technically they would have been wrong, but morally—well, who is going to cast the first stone?

It may be urged too, in extenuation of the hastiness with which some of the men down tools without regard to union regulations and agreements, that they are sometimes incited to this kind of action by the utterances and promises of the representatives of different trade unions, each seeking to secure new adherents to their particular union. It is only necessary to read a few of the reports of the Trades Union Congress to find out how prevalent in modern trade unionism is this practice of securing transfers. Sometimes higher benefits for lower contributions are promised, but in others it is the promise, given or implied, of immediate strike benefit which precipitates crises.

Whatever the causes, or wherever they arise, no matter what its sympathies with the men, trade unionism must deal with these strikes or go out of business. How can they be dealt with? The throwing away by some of the unions of the steady influences constituted by their friendly benefits

makes the task of control all the harder. The malcontents have less to lose than formerly, and should expulsion be resorted to there is generally another union anxious to enrol them.

It is no use suggesting that unofficial strikers should be barred from the unions. The unions would never adopt such an ordinance, and if they did the results would be disastrous, for the expelled men would soon develop into a dangerous crowd of non-unionists competing against unionists for employment.

Neither can the law be invoked to keep men at work when they are determined not to work. What is possible in Russia in this respect can never become possible in countries like Great Britain and America. Industrial courts, Whitley Councils and so-called trade parliaments have all been tried, and not even their protagonists claim that they have succeeded.

What is known as the Manitoba scheme for dealing with disputes is now under consideration in Great Britain. This is in operation in Canada. Under its provisions the Government appoints an impartial chairman, two workmen and two employers. These are given power to call witnesses and for documents.

The evidence they consider and their decisions must be published.

There are two observations to make in respect of this scheme. The first is that in Canada, as yet, there are few opportunities, owing to widely dispersed populations, for such mass outbursts of antagonism as are easily possible in Great Britain, and that, like all other schemes intended to operate in free countries, its success depends ultimately upon public opinion.

Here lies the crux of the whole business. Can public opinion—and this includes the opinion of the workmen themselves—become a sufficiently educated force to insist that impartial judgments, based upon fact and reason, shall be generally accepted? If it can, and when it does, the unions will recover control of their members, and the unofficial strike become a memory rather than a terror.

The recreation of interest in, and profit out of, skill is another matter calling for the serious thought of trade unions. At the present moment there are important trades in which the difference between the skilled and unskilled and unemployed rates is too small to encourage the performance of that drudgery and the making of that personal sacrifice

which the acquirement of skill demands. For the intelligent man the technological centres offer greater opportunities than the old apprenticeship system, but the rates paid offer smaller inducements. This is a serious matter for the unskilled, though it is not generally regarded as such by those who direct the unions of the lesser skilled. Decadence of skill must involve lower standards of quality, and this is a consequence none can view with equanimity.

Great Britain cannot hope to compete successfully and consistently in the manufacture of goods of the sixpenny-bazaar type with those countries which have both raw materials and useful markets close to hand. She must continue to live largely upon her reputation and her capacity for producing beauty and quality. Trade unions may think that this is some other body's business, but it is most emphatically theirs.

Trade unions have permitted the transference of their second basic function—the provision of unemployment benefit—to the State, but they might, with advantage, judiciously encourage schemes of emigration which promise to relieve the pressure of unemployment. The older unions did this, even

to the extent of making money grants to the prospective emigrant, and their rules contain interesting provisos for the repayment of these grants if the emigrant returned too quickly.

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## CHAPTER IX

### THE FUTURE OF TRADE UNIONISM

HAS trade unionism a future? The Socialist says not. Sometimes the general public hopes not.

View-points such as these, representing on the one hand the keenest type of political feeling, and on the other a sense of grievance and injury, are disconcerting to those trade unionists who, realising the past value of the movement and the existing needs, hope for its continuance. In the minds of such the question naturally arises as to whether these active and passive oppositions of the Socialist and the public are to be regarded as accurately presaging either the ultimate, or, what is even more important, the imminent supersession of the unions.

With the Socialist the demise of trade unionism has long been a definitely and generally accepted article of faith. Political exigencies, including the need for trade union money and votes, have, however, led him to dissemble. This dissimulation is

neither complete nor universal. There are occasions when really authoritative utterances clearly indicate the Socialist belief in the ineffective and transitory character of the unions. Sometimes these utterances also convey a spirit of agreement, not only with the inevitability, but also with the desirability, of the unions ceasing to exist. For trade unionism a funeral rather than a future aptly represents the inward conclusion of intellectual Socialism.

Mr. William Graham, M.P., former Financial Secretary to the Treasury, may be numbered amongst those who, on occasion, lift the veil with which opportunist Socialism presently enshrouds its disbelief in the usefulness of trade unionism as a permanently remedial factor. Whether his occasional outspokenness meets the approval of his colleagues, or whether it bewilders them, is not publicly known, but it is possible, in view of the funds his party draws from trade union sources, that some of his colleagues regret his frankness.

At the Independent Labour Party's summer school, in speaking of the transition from Capitalism to Socialism, Mr. Graham is reported to have said :

‘It (the transition) would involve a breakdown both in the selfishness of Capitalism and in trade union ideas.’<sup>1</sup>

It should be remembered, in mentally weighing up what Mr. Graham says, that he is an educated, as well as an able, man. He holds the degrees of Master of Arts (Honours) and Bachelor of Logic and Law. He understands the meaning and the value of words. His utterances are considered ones, and for this reason, if for no other, they demand an attention which would not readily be conceded to the speeches of some of his colleagues. He is not given to rhetorical hyperbole, and this particular statement shows that he sees, as clearly as Lenin saw, the incompatibilities of Socialism and trade unionism. He does not himself suggest the demise of the latter movement, because such a suggestion would at present be injudicious, but he does adumbrate a breakdown of existing ideas and aims, and, at the summer school, he presumably gave voice to the thought of the intellectuals of his party. His speech acquires point, though perhaps not intentionally so, from the noticeable tendency to place upon trade unionists the responsibility for those

<sup>1</sup> *Daily Herald*, 19th August, 1924.

Labour Party omissions and commissions which have invited public criticism.

That trade unionism is doomed may be assumed to be the conclusion of the non-unionist Socialist, and under Socialism or Communism, in Russia or in Great Britain, its existence would be conditional upon its subservience to the oligarchy or autocracy which governed. It could indeed have no future as a voluntary organisation of free workers, banded together for the purpose of making collective agreements in respect of wages or conditions. If it existed at all, it would exist to enforce the *acceptance* of wages and conditions determined upon by bureaucrats, whether these were good or bad, and not, as at present, to enforce, with the assistance of the bureaucrats, the *payment* of wages secured by mutual agreement between the principal parties to production.

There are serious dangers to trade unionism from Socialism, and from Socialist propaganda. One of these dangers arises from the trade unionist's failure carefully to analyse the principles and aims of both movements; he frequently believes them to be identical, when they are really antagonistic. Another arises from a very general tendency to

allow the Socialist to inveigle him into thinking sentimentally and apart from logical appreciation of possibilities ; and to ignore in himself what has been unpleasantly but pertinently described as the herd instinct.

Failure to analyse any subject, or an analysis in which prejudice is allowed to outweigh fact and practicability, makes accurate conclusion impossible. Ill-balanced sentimentalism invites confusion of ideas, and while it may appeal to the best in the hearts of a few people, it also at the same time appeals to the selfish side of thoughtless folk, and leads to explosions, amongst the masses of men and women, of desire, temper and force ; of unauthorised and lightning strikes, and sometimes of foolish and unprofitable rioting.

Nothing, for example, is more effective on the Socialist platform than declamatory demands for the concession to every human being of equal rights and opportunities. Such a demand is appealing, but, even when honest, it cannot be said that it is intelligent. It proceeds from the heart rather than the head ; from the platform rather than the study. It postulates the universal possession of the power to accept and exploit equal opportunities. It

presupposes the inheritance by every child born of woman of capacities which are physically, mentally and morally of the same standard.

A very little knowledge will show how baseless is this presumption, how impossible the demands based upon it. We shall be wise to give to capacity and steady inclination whatever is humanly possible, but very foolish to disguise the difficulties, or when speaking of equal opportunities to fail to realise how dangerous would be the attempt generally to enforce even this measure of equality. Owing to the impossibility of bringing all up to the higher standards of capacity, it would be necessary to bring all down to the lower ones. It would involve the handicapping of the effective back to the capacities of the defective. Russia at the present moment offers a pertinent example of the results attending attempts to enforce even the appearance of equality.

Unfortunately the little thought necessary to expose the difficulties and dangers attending attempts to impose and maintain artificially created equalities is seldom given by the mass of men to whom the appeal is made. To those who are deficient, either in capacities or commodities,

equality represents—indeed is sometimes wilfully made to represent—not the ethical equality to serve humanity to the extent of one's ability, but the physical right to appropriate and exploit for personally selfish purposes whatever is offered, honestly or dishonestly, by the opportunities of the moment.

It is the cultivated growth of this conception which has encouraged the development of Syndicalism and the steady increase in that public opinion which is at present passively, but may at any time become actively, hostile to trade unionism. When, or if, Syndicalism becomes the 'ism' of the majority, or even of the effective minority, and if public opinion becomes generally and actively hostile, the future of trade unionism will indeed be difficult.

Assailed on the one hand by the political antagonisms of the Socialist and the Communist, with their demands for the imposition of artificial equalities, and imaginatively constructed millenniums, and on the other by outraged public opinion, tired of strikes against public weal and comfort, trade unionism may suffer repressions as irksome, and perhaps as harsh, as those which obtained prior to, and even after, 1824. And, as experience in Russia demonstrates, these repressions stand to be quite as severe

under a Socialist as under any other form of government. Under such circumstances the trade union movement would suffer as it has done in Russia, but it does not follow that it would suffer extinction.

If it is an outcome of human desire for betterment, this same human compelling power will continue to operate until betterment has been achieved. If human desire and courage brought it into existence for the purpose of countering oppressions as practised upon those who were compelled to accept employment by those who were in a position to give employment, human design and effort will keep it alive. If it exists to secure, not a general and complete equality in opportunities and performances and rewards, but a measure of equality in bargaining power between those who have labour power and those who want that power, it will continue while the need for negotiating exists ; it will survive to see that those who are exploited are not also crucified.

Opposition will be more likely to react upon its opponents than to destroy its own life. What it has to fear is not so much opposition as the absorption of its functions. There are two obvious methods of absorption : one in which the State takes over

friendly benefits and bargaining activities, and another in which employers' associations, acting separately or together, do more for the workers than the unions, and do it better.

The danger of political attempts to suppress does exist, but it is hardly so menacing as is the danger of supersession by the outside absorption of its essential functions or the substitution of joint organisation for sectional or class organisation.

During the present century the State, with the Socialist behind it, has been steadily usurping the functions of the unions—Old Age Pensions, Sickness Insurance, Unemployment Insurance ; and now the promised comprehensive ' all-in ' scheme, to include, not only these three forms, but all other forms of personal insurance ; compensation for accident, funeral insurance, provision for children and pensions for widows.

All these things have, at some time, been practised or regarded by trade unions as their actual or possible functions.

The Minister of Labour has in recent years acquired, or is being pressed to acquire, powers tending to make him, not only the distributor of unemployment insurance, but also the determining

factor in disputes concerning wages and conditions. As these Ministerial powers develop, the power of the unions necessarily wanes and their hold upon the people weakens.

Up to the present only a few of the unions, and fewer still of the employers, appear to have realised the ultimate result of these transferences of function from the unions to the State. The Socialist who likes to be called 'intellectual' sees quite clearly what the result must be, and not infrequently works to hasten the day. What he has not seen quite so clearly is that the unions he had proselytised and prostituted may refuse to be circumscribed, at his dictation, within the limits he has designed for them, and may continue the process of smashing society even after society has been socialised.

The employer who has vision also sees what is most likely to eventuate, and in some cases he is trying to fight the drift towards State absorption of all these functions by himself inaugurating schemes of betterment which may save the workers and wean them from the State and from the unions.

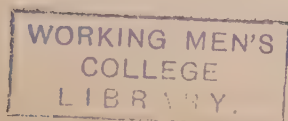
In these efforts the employer in Great Britain is badly handicapped. Like the trade union official, he has to deal with the human desire for immediate

results. He could do much towards undermining the position of the unions by the provision of alternative benefits, if he was cleverly and steadily supported by the majority of his fellow-employers ; but he can do little if he has to fight the antagonistically conceived preconceptions of his own side, or if he has to act individually, or can only obtain the assistance of isolated groups.

In any case he will at first be suspected by the workers, most of whom will doubt his *bona fides* ; and he will be opposed by those who believe that all things should be ordered by bureaucracy, which will see in his efforts to provide better terms than the unions some danger to their ambitions, their occupations and their emoluments.

The workers can hamper his plans by abstentions and oppositions, while the politicians and bureaucrats can thwart him by bribing the worker with State funds while ever these are obtainable. In all his efforts he may have the prejudices of the work-people to contend against, and he will find it difficult to outbribe the State, for the latter controls the revenue and, in the last resort, the currency.

An awakened conscience amongst the trade unionists ; the realisation that neither employer  
Nu



nor worker can live if their quarrels kill the business on which both depend ; a demonstrated willingness on the employer's part to think for his employees as well as for himself ; the development of the worker's faith in his employer's sympathy as well as in his ability, might enable the employer to stem the tide of prejudice on the one hand, and, though this is more difficult, the tide of bribery on the other. It will be said that this is a very high standard for the employer to attain. It is.

In America ' trade unions ' run by employers are a recognised factor in industry and a recognised danger to the American Federation of Labor. These American employers' ' trade unions ' are undertaking some of the tasks once regarded by the real trade unions in Great Britain as their own, but which they are now handing over to the State. In their efforts to run these ' yellow ' unions the American employers may succeed better than the British could, because their field of operation and amelioration is less affected by State control and subsidy. As yet they have the field divided between themselves and the American Federation of Labor.

The trade unionist is being driven by circumstances to consider the present position and outlook

of his movement and its alternatives. Should he permit the employers to run his unions? Or should alternative methods of conducting industry be attempted? The alternatives including the abolition of private enterprise and the substitution of the State official as master ; or the development of private enterprise with the employer as benevolent autocrat ; or as sympathetic associate in a common adventure ?

The unsolved problems of unemployment and the long-continued inability to provide houses are combining with other things to force forward altered points of view. Men see that every fight is followed by some sort of peace, though not always a profitable peace, and there are many who are wondering, and some who are asking, whether or not it is better to maintain than to obtain peace, whether or not the time has not arrived to cut clear of impracticable idealism and to seek joint understanding and joint industrial organisation.

Employer and employed have been for centuries apart. The fault, at least for the longer period, has lain with the employers. History leaves no room for doubt on this point. The master has recklessly assailed or ignored the servant ; the servant is

to-day recklessly assailing or ignoring the master. In the former case the employed suffered. In the latter both suffer, for if assault upon the employer smashes his business, or even reduces its value, his capacity for providing employment is impaired and the employed risk the chance of becoming unemployed.

To-day the idea of the office boy running the business has lost its 1919 glamour. It is increasingly understood that business consists in more than manufacture; that business implies knowledge, capacity for quick and courageous decision, together with financial backing and capacity for selling. But, even so, there is still amongst the more sensitive workers a desire for a little kindlier recognition, a little inclining of the commercial towards the human side, and fewer obstacles to the advancement of merit and ability.

iii

All this points to the possibility of greater attention being turned by those trade unionists who fear enslavement by the State, or supersession by the employer, towards forms of co-partnership. These hitherto have been opposed by many trade union officials, but co-partnership on the lines now suggested by the Labour Co-partnership Association still offers room for the trade union.

Some may doubt the possibility of achieving all the ideals of the Association, but who can justly doubt the wisdom of experimenting to the fullest extent on the lines of the following pronouncement?

‘Co-partnership claims for all the workers that they shall share to some extent in the profits, capital and control of the business in which they are employed. This may be stated more fully :

1. That the worker shall receive, in addition to the standard wages of the trade, some share in the final profit of the business or the economy of production.

2. That the worker shall accumulate his share of profit or part thereof in the capital of the business.

3. That the worker shall acquire some share in the control of the business in one or both of the two following ways :

- (a) By acquiring share capital, and thus gaining the ordinary rights and responsibilities of a shareholder ;

- (b) By the information of a Co-partnership Committee of workers, having a voice in the internal management.’

It has been assumed by some good and intelligent people that a resuscitation of the guild system might beneficially affect the present industrial situation. Those who hold this view appear to

forget that the ancient and mediæval guilds went out of existence because they failed to fit the conditions which industrialism developed. The modern ones appear to suffer from similar disabilities.

The present-day industrial guild does indeed depart in important particulars from its apparent prototypes, but its departures do not appear to have induced success. The old was based upon the employer ; the new upon the journeymen. Instead of creating an association inclusive of existing owners, adventurers and journeymen, the protagonists of the modern have aimed first at improving wages and conditions, and latterly, in some instances, at inaugurating forms of workers' ownership, production and distribution. It can hardly be said that all latter types have succeeded, either in the development of the theories they advocated or in the productive practices they attempted.

Searching for the causes of these later failures will afford interesting occupation to every student of trade unionism, particularly if he feels that the guilds supply a practical alternative to co-partnership. Were these causes to be found in the circumstances, the leaders, or the journeymen? The atmosphere and circumstances in 1918-22 were

eminently favourable to the guild idea, and in some recent examples the men at the head were energetic, they knew the journeymen's side of the businesses undertaken, and some of them were capable of acquiring knowledge of the selling side. In spite of this, the organisations they tried to direct have mostly disappeared from public view. Why?

Lack of capital has been alleged to be the cause of some failures, and it may have been difficult to obtain capital without corresponding collateral security for what were, after all, attempts to resuscitate truncated forms of defunct organisations. For the modern guild, including only the journeymen, was but half what its predecessors had been, and it was making experiments in production.

It is difficult, certainly, to secure capital for experimental enterprises, but not altogether impossible, as some contemporaneous company issues demonstrate. Perhaps, after all, the real reason for the failure of these later industrial guilds is to be found in the extent to which they ignored the earlier constitutions, experiences and failures. They were very heavily afflicted with class consciousness and individual inertia, and they failed to obtain production as well as capital. Apparently they did not

fully study or apply the lessons deducible from other people's experiences, and acted as if human nature and human incentives had changed. Their delegate meetings are alleged to have spent hours condemning existing economic systems and discussing fantastical industrial ideals, while they allowed important and pressing industrial personal interests to lie neglected.

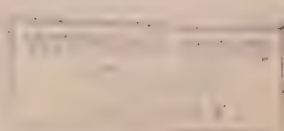
These latter-day guilds tried to keep in touch with trade union practice, but a few of them found it very difficult, for while ostensibly maintaining the rates, they occasionally made gifts of time. When financial pressure was great, the workers were encouraged to concede, not a reduction in the hourly rate, but the free gift of labour. One of their leaders rejoiced over the generosity which sometimes gave half a day's work without pay. He utterly failed to see that the effect of the occasional half-day's gift was equivalent to a reduction, on the then current rates, of three halfpence per hour. Nor did he seem able to understand that such a concession did in fact enormously increase the competitive possibilities of his particular guild. Perhaps the workmen saw more clearly than their director, for ultimately they became weary of this particular kind of well-doing.

To insure its future the trade union movement may have to follow the precept of Joseph Arch and stick more closely to its own particular last ; to realise that it represents the sub-conscious as well as the conscious, the bad as well as the good, aspirations of multitudes of men and women whose personal, economic and political interests are often different, and sometimes antagonistic ; who cannot safely and for long be moulded to a particular pattern or forced into a particular organisation ; who demand, and who will in some way secure, autonomous, as opposed to autocratic, forms of trade union control.

Practical idealism will have to take the place of emotional excursions into metaphysically-conceived realms of bliss. George Washington rather than Baron von Munchausen must become the trade unionist's oratorical model. Fallacies, no matter how pleasant they seem, must be abjured, and the new legal nets which foolish friends and sinister enemies are weaving around and over the movement must be escaped from. The price trade unionism paid for its deliverance from the legal thralldom of the Combination and similar laws was a very high one. If it would continue to exist, it must not be cajoled or forced for a second time under the law.

The business type of union need not exclude from its best consideration schemes of social betterment, but it must at the same time face its own economic limitations. The best organised union in the world cannot achieve the economically impossible, neither can the largest amalgamation for ever retain within its control vitally differing factions; nor can it always hope to placate its irreconcilables by obtaining for them greater value than they create, without at the same time incurring the charge of robbing the members of unions less fortunately placed. Already the observant discern signs of disintegration. Danger indeed threatens, but the greatest danger is from the inside.

Trade unionism may save itself, and provide a future by modifying its structure and procedure, changing its practice and its aims, becoming less influenced by prejudice and ill-treatment and more by knowledge and reasoning. Indeed it is fair to assume that it will continue to exist until some other organisation or institution absorbs its functions; until the employers kill it with kindness or the State kills it through control. Until then, in free countries it may be expected in some form to remain part of the life of every industrial community.



## APPENDIX

**VILLEIN** (Saxon): the Britons and the criminals; performed base services and received right to cultivate some land; villeins *in gros* or *pure* had no privileges, and were sold with the land; villeins *regardant* or privileged could obtain freedom, and had some political rights; later on they became copyholders and free labourers.

**SOCAGE** (Saxon): tenant services in money, labour or in kind (as opposed to military service).

**BLACK DEATH** (1349): Eastern plague; devastated Europe, provoked crisis in labour and serf questions; led to Peasants' Revolt (1361, 1369).

**BLESSED PARLIAMENT** (1350): dealt with the labour question; Statutes of Labourers and Treason.

**LABOURERS' STATUTES** (1351, 1362, 1368): fixed the price of labour, and bound the emancipated peasants again to the soil.

**PEASANTS' REVOLT** (1381): revolution in the manorial system; social revolt; led to emancipation of serfs; new era in the history of labour;

When Adam dolve and Eve span  
Who was then the gentleman?

John Ball's Socialistic text that spurred the peasants to revolt.

**COPYHOLDERS** (14th century): commutation of labour services for money payment recorded on the manor roll, a copy of which agreement was handed to the emancipated serf or villein.

**FRITH GUILDS** (mediæval): benevolent societies bestowing alms, forming insurance societies and punishing fraudulent members.

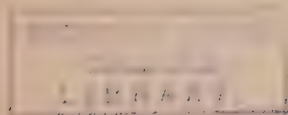
- GUILDS** (mediæval): friendly societies; associations of townsmen and craftsmen to protect and advance the interests of their craft, trade or society; became very powerful and ruled both towns and commerce.
- MERCHANT GUILDS** (mediæval): associations governing the trade and commerce of the towns; the heads of the principal merchant guilds usually formed the Corporation; freedom of the city—freedom to trade.
- 'RIGHTS OF MAN'** (1790): Paine's reply to Burke's *Reflections*; spread revolutionary opinions; led to repressive measures (Traitorous Correspondence and Seditious Meetings Act and suspension of Habeas Corpus).
- SEDITIONOUS MEETINGS ACT** (1795): prompted by fear of revolution.
- APPRENTICESHIP ACT** (1564): limited labourers' and artisans' wages; artisans to serve a seven years' apprenticeship.
- LABOUR ACTS** (1800, 1824, 1825): the first condemned combination; the second legalised it; the third defined combinations for *coercive* purposes as illegal.
- FACTORY ACTS** (1802, 1819): 1833, Shaftesbury's (a twelve hours' day); 1847, Fielden's (a ten hours' day); protecting children and young persons working in factories.
- LUDDITES** (1811): machinery riots; mechanical inventions had thrown many thousands out of work; famine and distress led to risings, and much machinery was destroyed.
- BLANKETEERS** (1817): malcontents who started to tramp (with blankets for camping out) from Manchester to Westminster, to present petition for reform; they dispersed in Derbyshire.
- EMPLOYERS' LIABILITY ACT** (1882): employers liable for accidents to their labourers; a further Bill in 1894 failed.

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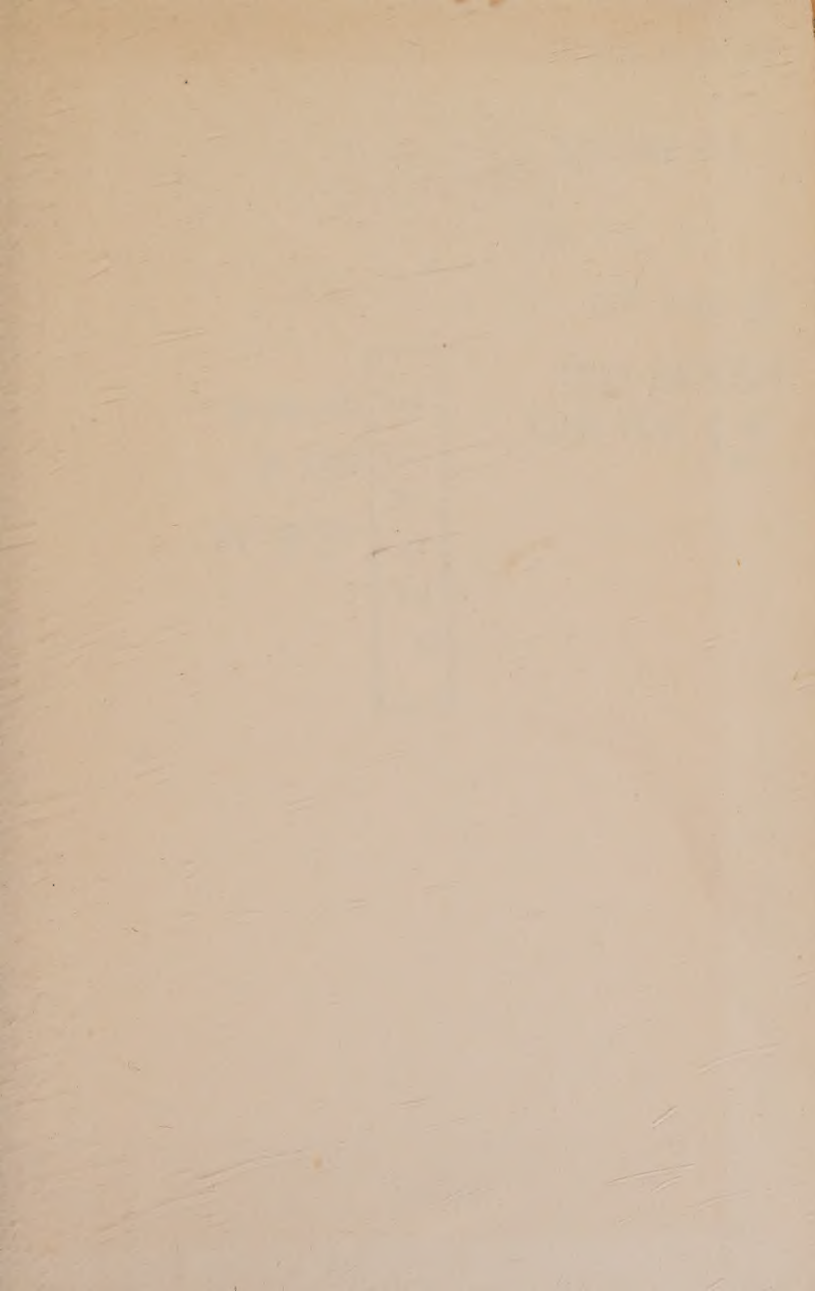
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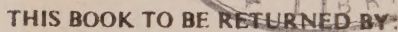
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